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**CHAPTER 335. INTERNAL PLACEMENT AND PROMOTION****SECTION A. INTRODUCTION****1. SCOPE**

This chapter contains the policies and procedures governing the placement of a VA employee in another competitive service position, including the movement of the employee to another VA station under a different appointing officer. Such position changes include demotion, reassignment or promotion of an employee while continuously employed in the VA and authorized conversion to competitive status under certain circumstances. Consideration of Veterans Readjustment appointees will be in accordance with this chapter and 5 CFR Part 307. While these provisions apply to the competitive service, there is no prohibition against using these or similar procedures to provide opportunities to certain excepted service employees, such as severely handicapped individuals appointed under Schedule A (see sec. C. par. 1d).

**2. GENERAL**

a. In the interest of clarity, policy requirements are identified by the word "**requirement**" and printed in bold type. Requirements are mandatory provisions established in accordance or consistence with Federal personnel policies issued by the Office of Personnel Management or pertinent laws, rules and regulations.

b. **Guidance**, which is also identified as such, is included to provide matters to be considered, information, clarification, examples, etc., to assist in the development of subordinate policies which will conform to VA and Office of Personnel Management policy requirements.

c. **Requirement**-The requirements identified in this section are applicable to all sections and appendixes of this chapter. They also apply fully to all related VA policies.

**3. POLICY**

a. **Right To Select. Requirement** - Management retains the right, which is not negotiable, to select from any appropriate recruitment method such as reassignment, appointment, promotion, transfer, reemployment, reinstatement or demotion. The decision as to which source or sources to use (singly, in any sequence, or concurrently in any combination) must be made by management for each vacancy. The source or sources may be changed by management at any time. Consideration must be given to which source (or sources) is most likely to meet VA mission objectives best, contribute fresh ideas and new viewpoints, and meet VA affirmative action goals. A statement of this policy shall appear in all promotion plans.

b. **Equal Employment Opportunity. Requirement** - All actions under this policy will be made without discrimination for such reasons as race, color, religion, national origin, sex, lawful political affiliation, marital status, nondisqualifying physical or mental handicap, age, or membership or nonmembership in a labor organization. A statement of this policy shall appear in all promotion plans.

c. **Right to Determine the Number and Grade Level of Positions To Be Filled (5 U.S.C. 7106(b)(1)). Requirement -** The right to decide the number of positions to be filled and the grade levels at which positions will be offered or filled shall be retained by management.

d. **Prohibited Practices. Requirements -** The following provisions of law are fully applicable and binding:

(1) **The Civil Service Reform Act of 1978 (5 U.S.C. 2302).** Employees who have authority to take, direct others to take, recommend or approve any personnel action are prohibited from:

(a) **Discrimination for or against any employee or applicant for employment (see par. 3b above);**

(b) **Soliciting or considering any recommendation or statement, oral or written, about a person who requests or is being considered for a personnel action, unless the recommendation or statement is based on personal knowledge or records of the person furnishing it and consists of an evaluation of the person's work performance, ability, aptitude, general qualifications, character, loyalty, or suitability;**

(c) **Using official authority to coerce political activity, including political contribution or service, or to retaliate against any employee or applicant for refusal to engage in such political activity;**

(d) **Deceiving or willfully obstructing a person with respect to the right to compete for Federal employment;**

(e) **Influencing anyone to withdraw from competition to injure or improve employment prospects for any other person;**

(f) **Granting preference or advantage not authorized by law, rule, or regulation (including defining the scope or manner of competition or the requirements for any position) to any employee or applicant to improve or injure the prospects of any person;**

(g) **Appointing, employing, promoting, advancing, or advocating for appointment, employment, promotion, or advancement, any relative (5 U.S.C. 3110a(3)) to or for any position in the VA;**

(h) **Taking or failing to take a personnel action concerning an employee or applicant as a reprisal for:**

1. **Disclosure of information reasonably believed by the employee or applicant to evidence (1) a violation of any law, rule or regulation or (2) mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health or safety, unless the disclosure is specifically prohibited by law or required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs;**

**2. Disclosure to the Special Counsel of the Merit Systems Protection Board, or to the Inspector General, of information reasonably believed to evidence any of the preceding items;**

**(i) Taking or failing to take a personnel action against any person as a reprisal for exercising an appeal right granted by law, rule, or regulation;**

**(j) Discriminating for or against a person on the basis of conduct which does not adversely affect that person's performance or the performance of others (convictions for crimes may be taken into account in fitness and suitability determinations); and,**

**(k) Taking or failing to take any personnel action if taking or failing to take that action violates law, rule, or regulation implementing or concerning merit system principles.**

**(2) Competitive Service; Recommendations of Senators and Representatives (5 U.S.C. 3303). Individuals concerned with examination or appointment of applicants in the competitive service may not receive or consider a recommendation by a Senator or Representative, except as to character or residence.**

**(3) Acceptance or Solicitation To Obtain Appointive Office (18 U.S.C. 211). No person may solicit or receive, either as a political contribution or for personal gain, any money or thing of value in consideration of the promise of support or influence in obtaining any appointive office.**

**(4) Interference with Civil Service Examinations (18 U.S.C. 1917). No individual in the public service shall:**

**(a) Defeat, deceive or obstruct the right to examination for the competitive service;**

**(b) Falsely mark, grade, estimate or report on an examination or proper standing;**

**(c) Make false representation concerning a mark, grade, estimate, or report on the examination or proper standing, or concerning the person being examined; or**

**(d) Furnish any special or secret information to improve or injure prospects or chances of a person examined, to be examined, being appointed, employed or promoted.**

**e. Employment of Relatives. Requirements-Position changes will conform to the requirements governing the employment of relatives (5 CFR Part 310 and MP-5, pt. I, ch. 300).**

#### **4. DEFINITIONS**

**a. Position Change.** A position change is a promotion, demotion, or reassignment made during an employee's continuous service within the same agency. Position changes may involve changes of official headquarters or posts of duty within the agency.

**b. Demotion.** Demotion is the change of an employee to a lower grade when both the old and new positions are under the General Schedule or under the same wage schedule, or to a position with a lower rate of pay when both the old and new positions are under the same type upgrade wage schedule or in different pay method categories. A position change from a supervisory position to a nonsupervisory position at the same grade is not a demotion.

**c. Reassignment.** A reassignment is the change of an employee from one position to another position without demotion or promotion. Reassignments include: (1) a change from a supervisory position to a nonsupervisory position at the same grade; (2) a position change at the same grade from a position with known potential to another position with no higher known potential; and (3) a position change at the same grade from a position with known potential to another position with no known potential.

**d. Promotion.** A promotion is a change to a position at a higher grade level within the same job classification system and pay schedule or to a position with a higher rate of pay in a different job classification system and pay schedule.

**e. SME's (Subject Matter Experts).** Persons with direct knowledge of what is done in the job, what KSAO's (knowledges, skills, abilities and other characteristics) are required to do it, and the general background of persons who are able to do the job successfully. These may include those currently doing the job, recent incumbents, those who supervise others doing the job, and other acknowledged job experts. SME's serve on job analysis panels, rating guide development panels and promotion panels.

**f. Area of Promotion Consideration.** Geographic or organizational areas from which high quality VA employees are sought in actions requiring the use of competitive promotion procedures.

**g. Minimum Area of Promotion Consideration.** That geographic or organizational area, as specified in the applicable promotion plan, normally used in initial efforts to locate high quality VA employees for actions requiring the use of competitive promotion procedures.

**h. Limited Area of Promotion Consideration.** Areas of promotion consideration less than the minimum area which are used to locate high quality VA employees for actions requiring the use of competitive promotion procedures under specific circumstances as provided for in the applicable promotion plan.

**i. Qualified Applicants.** Individuals who meet the minimum qualification (including properly determined selective factors, if applicable), time-in-grade and time-after-competitive-appointment requirements, as well as any applicable statutory provisions.

**j. Best Qualified Candidates.** Those candidates competing under merit promotion procedures whose relative rankings indicate that they will perform the job to be filled with substantially equal success and who are referred for selection consideration on the promotion certificate. When rating and ranking do not occur (see sec. C. par. 11a(5)), those candidates referred on the promotion certificate.

## **CHAPTER 335. INTERNAL PLACEMENT AND PROMOTION**

### **SECTION B. INTERNAL PLACEMENT**

#### **1. SCOPE**

The scope described in section A, paragraph 1, of this chapter is applicable.

#### **2. POLICY**

**Requirement--**The prohibited practice policies in section A, paragraph 3, are fully applicable and binding. Statements will be included in every related policy statement, including merit promotion plans, to reflect the requirements in section A, paragraph 3 a, b, c, and e.

#### **3. POSITION CHANGE CONSIDERATIONS**

**a. Demotion. Requirement--**An employee must be given the required legal and regulatory notices before a demotion action is taken, except where the employee: (1) signed an agreement to return to a lower grade as a condition for a temporary promotion; or, (2) voluntarily makes a written request for change to lower grade. Demotions to positions with higher known promotion potential than the known potential of the current position held must be made competitively in accordance with procedures in section C of this chapter.

**b. Reassignment. Requirement--**Reassignments will be made in accordance with the requirements contained in section A, paragraph 3, this chapter, and MP-5, part I, chapter 300. Reassignments to positions with known promotion potential higher than the potential of the current position held must be made competitively under the policies in 5 CFR Part 335 and the policies and procedures contained in section C of this chapter.

**c. Promotion. Requirement--**Promotions and other personnel actions which are processed under competitive promotion procedures must be made under the policies in 5 CFR Part 335 and the policies and procedures contained in section C of the chapter.

**d. Position Change (General). Requirement--**When reassignment or demotion candidates to be considered are not required to be rated and ranked under competitive promotion procedures, they will be referred in separate distinct groups (or on separate referral lists) clearly identified as reassignment or demotion candidates. When reassignment or demotion candidates are required to be rated and ranked under competitive promotion procedures along with candidates for promotion, the best qualified group will consist of the top ranked candidates.

**e. Probationary or Trial Period (Appointment). Requirement--**Employees who change positions before they complete a probationary or trial period must complete the remainder of the probationary or trial period in the new position. No new probationary or trial periods is required if one is completed before the position change.

f. Probationary Period (Supervisors and Managers). Requirement--The policies in 5 CFR Part 315 Subpart I and MP-5, part, I, chapter 315 are applicable.

#### **4. DETERMINING BASIC ELIGIBILITY**

Requirements--Qualification standards used to determine eligibility for position changes will be the minimum Office of Personnel Management requirements (X-118 Handbooks) or, when applicable, the minimum requirements established by the VA under 38 U.S.C. ch. 73. The Office of Personnel Management supervisory qualification standard must be used in addition to the pertinent standard in determining basic eligibility for all General Schedule supervisory positions. Time-after-competitive appointment and time-in-grade requirements must be met. Selective placement factors are to be used only when they have been determined, through an appropriate job analysis, to be critical to the performance of the job. Licensure, registration, certification or organizational membership requirements not required by the appropriate qualification standards shall not be used as selective factors.

#### **5. WRITTEN TESTS**

Requirements--Written tests will not be used unless required by the OPM or approved by the Leader, Customer Advisory & Consulting Group, Office of Human Resources Management (OHRM), for inservice placement actions. Requests to use written tests not required by the OPM or not previously approved by the Leader, Customer Advisory & Consulting Group will be submitted through channels to the Leader, Customer Advisory & Consulting Group (051). Individual stations will not deal directly with the OPM in requesting written test authorization. The provisions of 5 CFR 300.201 will be followed in the administration and security of written tests.

#### **6. EFFECTIVE DATES**

a. Effective Dates of Position Changes. Requirement--The effective date of a position change will be determined for each individual action consistent with technical and regulatory requirements and the needs of the VA. Unless another date is required by technical or regulatory requirements, or is considered to be in the interest of the VA, the effective date of the position change will normally be the first day of the next pay period after the date of administrative approval. Guidance--While fiscal and records maintenance activities prefer effecting personnel actions at the beginning of a biweekly pay period, there is no prohibition against effecting actions on other dates.

b. Effective Date for Release of Employees. Requirement--Employees selected for position change will be released to their new assignments within a reasonable length of time. Guidance--Where unusual circumstances justify a period longer than 2 weeks prior to release, the employee should be either (1) informed in writing over the signature of the official responsible for the delay of the reasons for the delay and the expected release date, or (2) the position change action should be effected and the employee detailed back to the former position.

(1) Coordination. Requirement--The release date for an employee transferring to another VA station will be arranged by the responsible officials. Unless circumstances



dictate otherwise or both the releasing and receiving stations otherwise agree, travel time will be accomplished on the receiving station's time.

(2) **Nonmerit Factors. Requirement--**An employee who meets qualification and time-in-grade requirements will not be denied a position change based on difficulty in obtaining a replacement.

## **7. KEEPING EMPLOYEES INFORMED**

**a. Opportunities for Advancement. Guidance.** Employees should be informed about the types of positions which may represent opportunities for reassignment and promotion, including those known to exist at other VA establishments. This may be accomplished by publicizing individual vacancies or by local open-continuous announcements, posting general notices of placement opportunities such as the *VA Recruitment Bulletin* and *Weekly Summary Bulletin*, and career counseling. Care should be taken to ensure that all potentially qualified and interested employees have access to vacancy notices received from other stations. Referral of vacancy notices from other stations only to the corresponding local service or division may not be sufficient in some cases. Centralized posting is preferred, in addition to appropriate selective distribution.

**b. Employee Responsibilities. Guidance.** Employees should also be informed of their responsibility to tell supervisors about their job interests, individual needs and preferences, and qualifications and to submit updated qualification information for inclusion in OPF's (Official Personnel Folders), CSS (Centralized Staffing System) folders, etc., to the HRM office.

## **8. ROTATION OF KEY PERSONNEL**

**a. Interchange of Employees. Requirement--**To the extent practical, the staffing needs of the Agency and the career needs of employees will be met by movements and interchanges of line and staff officials and key supervisory employees, including tours of duty in Central Office. These placements will include, but are not limited to, positions for which employment matters are centralized to the Secretary, Administration heads, Assistant Secretaries or other key officials (e.g., General Counsel).

**b. Employee Mobility. Requirement--**Rotation will be used as necessary to ensure that key positions are filled by well-qualified candidates in a cost-effective manner. Employees selected by management for movement to key positions at other VA stations will be expected to make themselves available. Any objections by the employee, however, should be given serious consideration.

## **9. TRANSFERS WITHIN THE VA**

**a. Definitions.** For the purpose of this paragraph, a transfer within the VA is a change in position while the employee is continuously serving the VA and which involves a change in appointing officer.

**b. Selection of Transferee. Requirement--**Selection of an employee for transfer within the VA is to be made in accordance with this chapter and MP-5, part I, chapter 300.

**c. Requests for Transfer--Unsolicited Applications.**

**(1) Acceptance of Voluntary Applications. Guidance--**Unsolicited applications from VA employees at other stations may be accepted. It may be appropriate to: (a) accept such applications only when an appropriate vacancy is likely to occur within a reasonable period of time (e.g., 6 months); (b) establish open seasons (certain months) for acceptance; and/or (c) establish a standardized suspense date for return to the applicant (e.g., if the applicant is not selected within 1 year, the application is returned).

**(2) Promotion. Requirement--**If voluntary applications for promotion are accepted, they may be considered in any area (limited, minimum, or extended) but must be considered along with other applicants for promotion when an extension of the area of promotion consideration includes the voluntary applicant's home station (see sec. C, par 7d(4)).

**d. Off-Station Applications Resulting From Extension of the Area of Promotion Consideration.**

**(1) Requirements--**Employees applying for vacancies at other stations must submit a current Federal employment application, and/or any other information specified in the announcement to each station having vacancies in which the employee is interested. **NOTE:** See paragraph 11, this section, concerning relocation expenses and merit promotion transfers.

**(2) Guidance--**All present and past experience, education, training, awards, self-development and outside activities should be described by the employee in a comprehensive manner on the Federal employment application. If a supplemental qualifications statement or other forms or requests for information are forwarded to an employee for completion, they also should be carefully and completely filled out and promptly returned. Credit cannot be granted when relevant information is not provided. Complete Federal employment application and/or other forms or information requested in the announcement should be submitted to the local HRM Officer early enough to ensure referral to the station(s) where a vacancy exists prior to the closing date specified in the announcement.

**(3) Requirement--**The HRM Officer at the employee's current station will secure appropriate supervisory evaluations of performance and annual performance appraisals and forward them, along with the candidate's completed Federal employment application, prior to the closing date of the announcements, if possible. The receiving station will be informed when its request for additional information requires extra time and the anticipated date of receipt. The local HRM staff will, when requested, provide information to applicants concerning the proper completion of the Federal employment application and/or other forms or requests for information.

**(4) Requirement--**Referral of OPF's (Official Personnel Folders) to the station having the vacancy will not be made routinely. Under unusual circumstances, however, when proper evaluation and ranking cannot be made based on the available information, requests for OPF's by other stations will be honored. Stations receiving folders will ensure that all

required actions are completed and the folders are released to the appropriate facility within 5 workdays after receipt.

#### **10. USE OF VA FORM 5-3918, INTRA-AGENCY TRANSFER REQUEST**

**a. General.** Requirement--VA Form 5-3918, Intra-Agency Transfer Request, will be completed for each VA employee who is selected for transfer. After the transfer has been effected, the VA Form 5-3918 will be filed on the left side of the employee's OPF for at least 1 year.

##### **b. Action by the Receiving HRM Office**

(1) **Guidance**--When an employee is selected for transfer, the receiving HRM office will normally initiate the VA Form 5-3918 by completing part I of the form and sending it to the releasing HRM office.

(2) **Requirement**--If the proposed transfer is to a wage system job in a different wage schedule area, the pay rates of the grade will be indicated in item 9 on the form. This will enable the releasing station to inform the employee of the wage rate of the new position.

(3) **Requirement**--The criteria for determining whether relocation expenses may be authorized at Government expense are contained in MP-1, part II, chapter 2 and paragraph 11 of this section. Item 15 of VA Form 5-3918 will indicate whether or not relocation expenses will be authorized. If relocation expenses are not authorized by the appropriate approving official, the employee statement and signature cited in paragraph 11d, this section, are required and will be entered in item 34 on the reverse side of the VA Form 5-3918.

(4) **Guidance**--When time is short, it may be more practical for the releasing station to initiate the VA Form 5-3918. Requirement--In these cases, the receiving station must let the releasing station know if travel and transportation costs are to be paid by the VA so the employee can complete the appropriate sections of the form.

##### **c. Action by the Releasing HRM Office**

(1) **Requirement**--Upon receipt of the VA Form 5-3918, the releasing HRM office will have the employee complete the appropriate portions of part II. Employees for whom travel and transportation costs have been authorized will be referred to the servicing Supply Office for assistance in completing item 29 on VA Form 5-3918 and for guidance related to procedures for shipment of household goods.

(2) **Requirement**--If payment of travel and transportation is authorized, the releasing HRM office will give the employee the latest copy of VA Central Office Finance Service Handbook H-047-3, "Guide on Permanent Change of Station." A statement that the employee has received a copy of this publication will be entered in item 34, the remarks section, of VA Form 5-3918. The releasing station will also have the employee sign the agreement on the reverse side of the VA Form 5-3918 to remain in Government service for 12 months or to repay the Government for costs it incurs for travel and transportation.

**(3) Requirement--**The releasing HRM office will complete part III of the VA Form 5-3918 in accordance with instructions contained in MP-6, part V, supplement No. 1.5, on processing interstation transfer.

**d. Enroute Time or Delays in Reporting. Requirement--**Any time required for travel, or a delay in route, will follow the effective date of transfer and be accomplished on the receiving station's time, unless other arrangements are mutually agreeable to both stations concerned.

## **11. RELOCATION EXPENSES AND MERIT PROMOTION TRANSFERS**

(The term "relocation expenses" is used herein as a shorthand reference to all transfer expenses authorized under 5 U.S.C., sections 5724 and 5724a.)

**a. Guidance--**Generally, when an employee is selected pursuant to a merit promotion plan for transfer to a position at a higher grade level or to a position with known promotion potential, the transfer is considered to be for the benefit of the Government for the purpose of paying relocation expenses allowed under 5 U.S.C., sections 5724 and 5724a. However, all of the factors surrounding any particular merit promotion recruitment action may lead the approving official to the determination that any resulting transfer is not primarily in the interest of the Government for the purpose of paying relocation expenses. (Note that the Comptroller General in the David C. Goodyear decision, 56 Comp. Gen. 709 (1977), ruled that budget constraints alone cannot form the basis for denying relocation expenses, if the transfer is otherwise in the Government's interest.)

**b. Requirement--**The approving official (see MP-1 pt. II, ch. 2, app. A) must determine if a merit promotion transfer is primarily for the benefit of the Government or if it is primarily for the convenience or benefit of the employee for the purpose of paying relocation expenses. This determination must be made for each vacancy announced under the provisions of a merit promotion plan. The determination must be based on consideration of all the pertinent factors in each action, including FEORP requirements that an applicant pool be representative of candidates from any underrepresented group. The criteria specified in MP-1, part II, chapter 2 and the factors and conditions cited below will be considered in making such determination in any particular merit promotion transfer. A decision that relocation expenses will or will not be paid in connection with filling a position under a merit promotion plan must be clearly communicated in advance to all prospective applicants by a statement on the vacancy announcement. (See Eugene R. Platt, 59 Comp. Gen. 699 (1980); Reconsideration of Platt, 61 Comp. Gen. 156 (1981); and Bruce E. Stewart, Unpublished Comp. Gen. B-201860, August 27, 1982.)

### **c. General**

**(1) Requirement--**Conditions and factors which may warrant a determination that a transfer pursuant to a merit promotion plan action is not primarily for the benefit of the Government will include but are not limited to the following situations:

**(a)** The local labor market and recruiting area includes a sufficient supply of qualified individuals with appropriate skills;

(b) Generally, it is not cost effective to transfer employees at GS-6 and below or equivalent for wage grade employees at Government expenses; (movement of employees in VA-wide trainee programs under mobility agreements, however, will generally be at Government expense);

(c) A current executive, legislative, or agency imposed freeze on employment of outside candidates necessitates internal solicitation to the exclusion of other sources; or

(d) Voluntary applications for promotion are on file from employees outside the commuting area which were not submitted in response to a specific vacancy announcement and extension of an area of consideration.

(2) Requirement--Payment of relocation expenses is not generally considered appropriate in the following situations, unless there is a specific determination by the duly designated official that such a transfer is primarily in the best interest of the Government:

(a) Reassignment or demotion transfer (not under a merit promotion procedure) even when the applicant is responding to a promotion announcement;

(b) Transfer eligibles from outside the agency even though applications are rated and ranked under agency promotion procedures, since the VA promotion program applies to VA employees only; or

(c) Employee primarily motivated to transfer in order to accompany a spouse being transferred to the area.

(3) Requirement--Where a change of official duty station is directed by a duly designated VA official, relocation expenses will be paid.

**d. Records.**

(1) Requirement--A decision that relocation expenses will not be paid in connection with a particular merit promotion transfer must be documented and fully supported by the totality of circumstances in the case.

(2) Requirement--When an approving official decides that relocation expenses will not be paid, the following statement along with the employee's signature must be entered on the reverse side of the VA Form 5-3918 in item 34, Remarks of Releasing Station:

"I am fully aware of and understand the decision that my transfer is primarily for my convenience or benefit or at my request and is not in the interest of the Government (VA). I further understand and agree that all travel, transportation and other expenses incident to this move will be at my own personal expense."

(3) Requirement--A temporary record of the basis for a decision not to pay relocation expenses will be maintained in the applicable merit promotion folder file.



**CHAPTER 335. INTERNAL PLACEMENT AND PROMOTION****SECTION C. MERIT PROMOTION PROGRAM****(To Be Used with 5 CFR Part 335)****1. SCOPE**

**a. Coverage.** This section, along with 5 CFR Part 335, contain the policies and procedures for the VA Merit Promotion program. This program governs actions requiring the use of competitive promotion procedures in the placement of employees in positions in the competitive civil service, including movement of a VA employee to another VA station under a different appointing authority and selections for certain training opportunities.

**b. Positions Not Covered.** This section does not apply to actions used to fill positions in the excepted service (however, see subpar. c below, concerning veterans readjustment appointees) or to the Senior Executive Service, whether or not such actions result in promotions. However, when practicable and desirable, VA management at all levels is encouraged to adapt the policies and general provisions of this section in taking promotion actions to excepted service positions.

**c. Inclusions.** Employees on leave or detailed to other Federal agencies, to State or local governments, to institutions of higher education, to Indian tribal governments or other organizations (see MP-5, pt. I, ch. 334), those transferred or detailed to international organizations, those separated for military service with restoration rights (38 U.S.C. [ch. 43]) and those absent because of compensable injury (see MP-5, pt. I, ch. 353, and 5 CFR Part 353 Subpart C ) are considered VA employees and must be considered for promotion as though they were present for duty. Veterans readjustment appointees are to be considered in accordance with this section and 5 CFR Part 307.

**d. Concurrent Consideration-Certain Excepted Service Employees.** Generally, employees serving under excepted appointments (except Veterans Readjustment Appointments) are precluded from competing under competitive promotion procedures with competitive service employees. There may be instances, however, when simultaneous consideration for promotion of certain excepted service employees (e.g., severely handicapped individuals appointed under Schedule A) is desirable. Nothing precludes the use of the same rating and ranking criteria for both types of appointees, thereby affording concurrent consideration of both groups for promotion on separate referral certificates. Such an approach may significantly improve upward progression opportunities for severely handicapped employees and certain others.

**2. RESPONSIBILITIES****Requirements**

**a. Office of Human Resources and Administration.** The Assistant Secretary for Human Resources and Administration is responsible for: (1) developing VA policies and guidelines for the implementation of the Federal merit promotion policy, including development of selection or evaluation procedures, their application, administration and security, and

personnel measurement program review; (2) providing technical guidance and staff advice in the administration of promotion plans for positions centralized to the Secretary and for plans established by other key officials or administrative heads for field positions centralized to them; (3) administering promotion plans for Central Office positions; and (4) providing technical guidance and advice to field stations in the administration of their plans.

b. **Administrations and Other Key Offices.** Each administration and key office head is responsible for establishing and directing the administration of promotion plans for positions centralized to the administrative or key office level, including the proper use of personnel measurement procedures and adherence to merit system principles.

c. **Field Stations.** Each station head is responsible for establishing and directing the administration of promotion plans for noncentralized positions for which appointing authority has been delegated, including the proper use of personnel measurement procedures and adherence to merit system principles.

d. **Human Resources Management Officers.** Each HRM Officer will: (1) participate with line officials in carrying out the Federal merit promotion policy and the requirements of this chapter; (2) determine eligibility for promotion; and (3) participate with line officials in establishing and applying evaluation methods in a manner consistent with proper personnel measurement procedures and merit system principles. These responsibilities include development or selection of evaluation procedures, their application, administration and security, and personnel measurement program review in the organization served.

e. **Operating Officials and Supervisors.** Operating officials and supervisors are responsible for assisting in the development of plans and for explaining the merit promotion program and applicable plans to employees. They participate in the evaluation process and select from among the best qualified persons available. As selecting officials they must familiarize themselves with the techniques and procedures used to identify and select the best qualified candidates. Both as a high public trust and a fundamental management responsibility, careful and objective judgment, consistent with merit principles, policy requirements and selection procedure requirements is required in each selection.

f. **Employees.** All employees have primary responsibility for furnishing accurate information to update their qualification records and making application for promotion opportunities in accordance with prescribed procedures in a timely manner.

### **3. GENERAL MERIT PROMOTION REQUIREMENTS**

a. The policies in section A, paragraph 3, are fully applicable and binding. Statements will be included in every promotion plan to reflect the requirements in section A, paragraph 3 a, b, c, and e.

b. **5 CFR Part 335 Requirements.** The following five basic merit promotion requirements of 5 CFR 335.103(b) are fully applicable and binding:



(1) Requirement 1. -Each agency must establish procedures for promoting employees which are based on merit and are available, in writing, to candidates. Agencies must list appropriate exceptions, including those required by law or regulation, as specified in 5 CFR 335.103(c). Actions under a promotion plan-whether identification, qualification, evaluation, or selection of candidates-shall be made without regard to political, religious, or labor organization affiliation or nonaffiliation, marital status, race, color, sex, national origin, nondisqualifying physical handicap, or age, and shall be based solely on job-related criteria.

(2) Requirement 2.-Areas of consideration must be sufficiently broad to ensure the availability of high qualify candidates, taking into account the nature and level of the positions covered. Agencies must also ensure that employees within the area of consideration who are absent for legitimate reason, e.g., on detail, on leave, at training courses, in the military service, or serving in public international organizations or on Intergovernmental Personnel Act assignments, receive appropriate consideration for promotion.

(3) Requirement 3.-To be eligible for promotion or placement, candidates must meet the minimum qualification standards prescribed by the OPM (Office of Personnel Management) or the VA, as appropriate. Methods of evaluation for promotion and placement, and selection for training which leads to promotion, must be consistent with instructions in 5 CFR Part 300 Subpart A. Due weight shall be given performance appraisals and incentive awards.

(4) Requirement 4.-Selection procedures will provide for management's right to select or not select from among a group of best qualified candidates. They will also provide for management's right to select from other appropriate sources, such as reemployment priority lists, reinstatement, transfer, handicapped or Veterans Readjustment Act eligibles, or those within reach on a appropriate OPM certificate. In deciding which source or sources to use, agencies have an obligation to determine which is most likely to best meet the agency mission objectives, contribute fresh ideas and new viewpoints, and meet the agency's affirmative action goals.

(5) Requirement 5.-Administration of the promotion system will include recordkeeping and the provision of necessary information to employees and the public, ensuring that individuals' rights to privacy are protected. Each agency must maintain a temporary record of each promotion sufficient to allow reconstruction of the promotion action, including documentation on how candidates were rated and ranked. These records may be destroyed after 2 years or after the program has been formally evaluated by the OMP (whichever comes first), if the time limit for grievance has lapsed before the anniversary date.

c. Promotion Plan. Requirements-Promotion plans will be in writing and will contain a statement identifying the positions covered, exceptions to competitive promotion procedures, the areas of promotion consideration, the methods of locating candidates, the qualification standards to be used, evaluation procedures and ranking and selection procedures. Each promotion plan must contain a provision which will allow the conduct of on-station experiments in alternative selection procedures as part of agency efforts to increase the validity of selection procedures. All proposed experiments outside the provisions of the applicable promotion plan must be forwarded through channels to the Leader, Customer

**Advisory & Consulting Group (051) for approval. Guidance-**Subject to proper coordination and/or negotiation, referrals for consideration may be those best qualified candidates identified in accordance with the provisions of the applicable promotion plan, those identified under the experimental alternative procedure or those identified in both. **Requirement-If, however, the experimental procedure results in greater validity or less adverse impact, requirements to reevaluate the existing selection procedure in light of the findings may be imposed.**

#### **4. COVERED PERSONNEL ACTIONS**

**Requirements-**Competitive promotion procedures apply to all promotions under section 335.102 of the civil service regulations and to the following actions:

a. Reassignment or demotion to a position with greater known promotion potential than a position previously held on a permanent basis in the competitive service (except as permitted by reduction-in-force regulations) (5 CFR 335.103(c)(iv));

b. Selection for training which is given primarily to prepare an employee for advancement and is required by the qualification standard for promotion (i.e., when qualification standard minimum eligibility for promotion depends on whether an employee has completed training) (5 CFR 335.103(c)(iii));

c. Transfer of an employee from another Federal agency to a VA position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service. (5 CFR 335.103(c)(v));

d. Reinstatement, including those made from reemployment priority lists, to a permanent or temporary position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service (5 CFR 335.103(c)(vi));

e. Selection for details for more than 120 days to a higher grade position or a position with higher known promotion potential in accordance with 5 CFR 335.103(c)(ii);

f. Temporary promotion under 5 CFR 335.102(f) for more than 120 days (all prior service by detail to higher grade and temporary promotion during the preceding 12 months is to be counted toward the 120-day time limit.

#### **5. EXCEPTIONS TO COMPETITIVE PROMOTION PROCEDURES**

**Requirements--**The following actions are exceptions to competitive promotion procedures and must be included in all VA promotion plans:

a. Upgrading without significant change in duties and responsibilities. When the issuance of a new or revised classification standard or the correction of an earlier classification error results in the upgrading of a position, the incumbent must be promoted if minimum qualification standard and regulatory requirements are met, unless the incumbent properly vacates the position.

b. **Promotion during reduction in force.** Position changes during reduction in force which are technically promotions because of pay fixing policies are to be made without competition. This does not mean that RIF sets aside other competitive promotion requirements. e.g., GS-7 to GS-8.

c. **Promotion after failure to receive proper consideration.** When it has been determined that an employee has failed to receive proper consideration in a promotion action and the original selectee is retained in the position, the employee who lost proper consideration must be given priority consideration for the next appropriate vacancy. This is a referral for selection consideration ahead of all others not entitled to a higher requirement for consideration (see par. f below). All employees due equal consideration and qualified for the vacancy are referred together, in competition with each other, for the priority consideration. A selection resulting from a priority referral is excepted from competitive promotion procedures. Although priority consideration is guaranteed, promotion is not guaranteed. An employee is to receive priority consideration only one time for each proper consideration lost. *(NOTE: Close adherence to the applicable promotion plans' requirements and procedures, laws, rules, regulations, and policies will greatly reduce the necessity for priority consideration. The importance of a full understanding of, and adherence to, the promotion plan's requirements by all concerned cannot be overemphasized.)*

d. **A position change from a position having known promotion potential to a position having no higher known potential;**

e. **Selection of a Federal employee who is within reach on a civil service register for a higher grade position;**

f. **Repromotion to grades from which demoted without personal cause.** Repromotion up to a grade previously held on a permanent basis from which an employee was demoted without personal cause is excepted from competitive promotion procedures. Guidance--Such repromotions may occur under the promotions of the VA Priority Placement Program, among others.

## **6. OTHER EXCEPTIONS TO COMPETITIVE PROMOTION PROCEDURES**

**Guidance**--Promotion plans may or may not require competition for:

- a. Temporary promotions for 120 days or less:
- b. Details to higher grades or to positions with higher known promotion potential for 120 days or less:
- c. Selections for training which may significantly enhance chances for future promotion but which is not required for promotion;
- d. Promotion resulting from an employee's position being reclassified to a higher grade because of additional duties and responsibilities (see par. 12d(4), this section);

e. Selections from a reemployment priority list for a position with higher known promotion potential than the last position held in the competitive service;

f. Competition for promotion to the next higher grade in a career ladder when the number of satisfactory employees at a grade level equals or exceeds the number of opportunities available at the next higher grade.

## **7. AREAS OF PROMOTION CONSIDERATION**

**a. Requirement--Areas of promotion consideration, which are descriptions of the geographic or organizational areas from which high-quality VA employees are sought in actions requiring competitive promotion procedures, must be clearly defined in promotion plans and must be broad enough to ensure the availability of high-quality candidates, taking into account the nature and level of the positions covered. Their establishment must be consistent with policy related to prohibited practices, including paragraph 3d(1), section A of this chapter.**

**b. Use of Other Recruitment Sources. Requirement--The terms "area of promotion consideration" and "minimum area of promotion consideration," and references to limitation and extensions thereof, apply only to the use of competitive promotion procedures for VA applicants and/or candidates. The organizational or geographic boundaries associated with area of promotion consideration do not apply to other methods of recruitment such as appointment, transfer, reinstatement, reassignment, etc. An area of promotion consideration does not restrict the use of alternative recruitment methods, a management right, or the geographic area from which applicants from other recruitment sources are considered.**

### **c. Minimum Area of Promotion Consideration. Guidance**

(1) Usually, the minimum area of promotion consideration should be at least stationwide. Not only does this provide for possible advancement opportunities for all station employees, it also precludes overlooking well-qualified employees whose previous experience or education is directly related to a vacancy even though their present job is in an unrelated field.

(2) There are, however, circumstances when a minimum area less than stationwide may be appropriate if the applicable promotion plan provides for its use. Promotion plans should specify procedures to be used to establish such areas. If such an area is used, the circumstances involved should be carefully documented to support the action, particularly in relation to prohibited practice policies and as a means to explain the necessity and logic to other employees. Some examples of lesser minimum areas which may be appropriate are:

(a) New equipment or machinery, technological changes, or additional workloads or responsibilities may require additional higher level duties raising the grade of a position or establishing a new position in lieu of another position in a service or division which has no ceiling for an additional position. Announcement of the opportunity stationwide would increase

expectations of employees outside the service or division when, in fact, their selection is unlikely because of the ceiling restrictions.

(b) Restriction of the minimum area to a service or division may also be appropriate when Central Office assigns additional program responsibility without a corresponding increase in ceiling, resulting in the need for a higher grade position in a division or service at full ceiling.

(c) When a reorganization occurs within a service or division at full ceiling and, as a result, an additional supervisory position is necessary, it may be appropriate to restrict the area of promotion consideration for the newly created supervisory position to that service or division.

(d) Over a period of time, higher grade duties may gradually accrue to an IA (identical-additional) position. It becomes evident that, in the interest of effective management, the additional duties should be consolidated in one position or a few positions rather than fragmented throughout all the IA positions. If there is no additional ceiling available to the service or division, it may be appropriate to restrict the area of promotion consideration to those employees on the IA position description.

(e) Field installations with two divisions, or a main facility with one or more satellite facilities, may find it in the best interest of employees and management efficiency to establish separate minimum areas of promotion consideration for each. Careful consideration should be given to the effect such an action would have on upward mobility opportunities, the availability of high quality candidates for positions common to one or more of the organizational elements, and the need for interchange of new concepts and/or methods between organizational elements.

(f) It may be appropriate to restrict consideration to a service or division for competitive temporary promotions and/or competitive details. In many cases employees who are familiar with the day-to-day functions of a division or service are likely to fulfill the temporary need most effectively. In addition, the selection of an employee from another division or service may result in a disruption of that organization during the selectee's absence.

**(3) Centralized Positions. Requirement--For positions centralized to the Secretary, Administration heads, Assistant Secretaries or other key officials, the applicable merit promotion plan will specify the area of promotion consideration.**

**d. Extensions of the Area of Promotion Consideration**

**(1) Requirement--An extension of the area of promotion consideration is defined as the search for additional high quality VA employees in actions requiring competitive promotion procedures. Recruitment for appointment, reinstatement, transfer, reassignment, demotion or reemployment candidates which does not require merit promotion competition will not be considered as an extension of an area of promotion consideration.**

**(2) Guidance--Promotion plans should provide for extensions of the minimum area of promotion consideration to the extent necessary to locate a sufficient number of high quality candidates. Either of the methods in subparagraphs (a) and (b) below may be used.**

(a) **Requirement--**The promotion panel, after initial rating and ranking reveals an inadequate number of best qualified candidates, may determine that the area of promotion consideration is to be extended before any candidates are certified under the plan; or

(b) **Requirement--**The selecting official, after receipt of the certificate and a review of the records reveals an inadequate number of best qualified candidates and in coordination with personnel officials concerning the likelihood of locating additional promotion candidates, may decide (or recommend to the official who retains the authority to decide) to extend the area of promotion consideration.

(c) **Requirement--**To preclude misunderstandings, misinterpretations, and employee dissatisfaction, and to ensure that all employees are adequately informed, each area of promotion consideration which may be used must be properly defined or explained in the plan, including the commuting area if it is used. The plan must clearly explain when and how different areas of promotion consideration are to be used.

(3) **Guidance--**A commuting area may vary from station to station. The geographic distance may vary one direction to another depending on the location of the station in relation to residential districts. One determinant may be the distance several employees commute daily to the station. An excessive distance which only one employee commutes daily is not necessarily the normal commuting area.

(4) **Voluntary Applications. Requirement--**If unsolicited applications for promotion from VA employees at other stations are accepted, they may be considered in any area of consideration (limited, minimum and extended) but they must be considered when the candidate's home station is included within an extended area of promotion consideration. These candidates must indicate the specific type(s) and grade level(s) of positions for which they wish consideration. An indication of the title of the position (formal or informal) and grade level is sufficient.

(5) **Central Office Referrals. Requirements--**Central Office referrals for noncentralized positions must be accepted and considered in limited, minimum and extended areas and ranked in accordance with the provisions of the applicable promotion plan. Program officials responsible for such referrals must assure they are made in accordance with merit principles.

e. **Limiting Extension of the Area of Promotion Consideration.** When and how far to extend the area of promotion consideration may be affected by several factors. There may be circumstances when an extended search for additional high quality promotion candidates would not be appropriate, such as:

(1) **Guidance--**Several recent extensions for the same type and grade position have not produced additional high quality candidates;

(2) **Guidance--**The position is located in Alaska, Hawaii, Puerto Rico or the Philippines; and it would not be practical to search for promotion candidates beyond the particular geographic area;

(3) **Guidance**--Funds to cover moving and travel expenses may not be available, or limited funds may dictate such payments only for higher priority positions. Under these circumstances, limitation to such geographic boundaries as the commuting area, station groupings, statewide, or regionwide, may be appropriate;

(4) **Guidance**--It may not be practical to extend the area of consideration for temporary promotions and details, although the option to extend should be retained in case unique circumstances develop in the future;

(5) **Guidance**--In over-ceiling situations or at-ceiling situations, it may be appropriate to limit the area of consideration;

(6) **Requirement**--**If it is determined not to extend the area of promotion consideration for the reasons listed above, or a similarly valid reason, and the promotion plan calls for the extension but permits exceptions, the basis for the decision must be documented in the station promotion file. The documentation may be brief but it must be clear.**

(7) **Guidance**--When circumstances indicate an extension of the area of promotion consideration is inappropriate, and promotion continues to be a recruitment source, promotion consideration should be given only to high quality promotion candidates from the lesser area. In the interest of maximum efficiency and proper utilization of public funds, well-qualified candidates from other recruitment sources should be considered.

## 8. LOCATING CANDIDATES

**Guidance**--Several methods may be used to locate eligible candidates. Different methods or combinations of methods may be appropriate for different occupations or grades. Posting vacancy announcements for individual vacancies, open-continuous announcements for entry-level jobs, posting general notices of placement opportunities such as the VA Recruitment Bulletin, Weekly Summary Bulletin, sending teletype notices to other VA stations, Central Office referrals, and use of skills files are several methods. **Requirement**--**To provide proper information to employees, each promotion plan must state which method or methods are used.**

### a. Vacancy Announcements

(1) **Guidance**--Vacancies may be announced by posting notices on bulletin boards and/or by circulating special notices to employees.

(2) **Requirement**--**If vacancy announcements are used, they must receive sufficient publicity and be open long enough so all eligible employees within the area of consideration have the opportunity to learn of the vacancy and apply. They must be clear and tell employees: the area of consideration; if the position is part-time, the number of hours per week; the pay range; the location of the position; summarized duties of the job; the summarized minimum qualifications, including selective placement factors (if appropriate); where the qualification standard requirements are available for review; a list of the rating factors or job elements; what has to be done to apply; the closing date; whether the position**

has known promotion potential; and that VA policies on equal employment opportunity are fully applicable.

(3) **Requirement--Open-continuous announcements must be clear and tell employees: the area of promotion consideration; whether the position has known promotion potential; that VA policies on equal employment opportunity are fully applicable; and what has to be done to apply. The other information is subparagraph (2) above must be available on request.**

(4) **Requirement--When a vacancy announcement does not yield a sufficient number of high quality candidates and the area of promotion consideration is extended, the original announcement closing date must also be extended to coincide with the closing date for candidates in the extended area. This new area of consideration and the new closing date must be conveyed to local employees in an appropriate manner.**

(5) **Requirement--When the target grade level is known, it (and any intervening grade levels) must be stated in the vacancy announcement. When there is potential but the anticipated grade has not yet been determined, the estimated grade level must be indicated. In such cases, it is extremely important that all possible applicants are fully aware that an estimated potential grade may or may not materialize. Guidance--Occasionally, a position may be announced at multiple grade levels (see par. 11a(3), this section). The announcement should clearly indicate when selection for any of the lower grades indicated carries with in the potential for the highest grade indicated. When this is not the case, the announcement should provide proper information to applicants.**

(6) **Requirement--All vacancy announcements of positions with known promotion potential must inform all potential applicants that: (a) selection does not guarantee promotion to the target grade (or any intervening grade, if appropriate); (b) all legal and regulatory requirements for promotion to the next higher grade must be met; and (c) subsequent promotion to the next higher grade is dependent on the selectee's demonstration of the ability to perform the duties of that grade to the satisfaction of the supervisor and the availability of enough work at the next higher grade to support the target position.**

(7) **Requirement--When vacancy announcements are used to recruit for standing registers used to fill the same type and grade position over an extended period (e.g., 90 days), the announcement must provide this information to potential candidates. Employees who apply for consideration during the life of the standing register must be provided information concerning how their applications will be treated and under what circumstances they will be considered (i.e., (a) applications will be accepted and consideration extended for the next vacancy filled from the register; (b) applications will be accepted and retained for consideration when a new register is established; or (c) applications will be accepted only when a new register is being established). When standing registers are used, all selective factors and all rating factors (or job elements for wage grade) for all positions covered must be listed in the vacancy announcement. Typically, the rating factors (job elements for wage grade) for all the positions covered by the standing register should be similar. They do not, however, have to be identical.**



**b. Teletype Notices to Other VA Stations. Requirement--**When used, teletype notices to other VA stations must identify the position and grade being offered, reference the appropriate X-118 Handbook or VA qualification standard and the vacancy announcement number, state the potential if appropriate, the closing date, and specify any forms which should be submitted with the application. Teletype notices of extension of the area of promotion consideration must be made available to all potential applicants at the receiving station(s). Posting in a centralized location accessible to all employees is adequate. Referral only to the corresponding service or division at the receiving station may not be satisfactory in some cases because qualified employees may be located in other services or divisions. *NOTE: See section B, paragraph 9d of this chapter, for processing applications resulting from extension of the area of promotion consideration.*

**c. Skills Files. Guidance--**Skills files, including sufficient information on all eligible employees in an area of consideration to rate them fairly, may be used to locate candidates for vacancies. All eligible employees are considered under this method. Extreme care should be exercised to ensure that information on each employee is accurate and up to date and that the system can be used economically and efficiently.

**d. Central Office Referrals. Requirement--**Central Office referrals to stations for positions which are covered by the local promotion plan must be evaluated and ranked in accordance with the local plan along with other qualified applicants.

## **9. JOB ANALYSIS AND EVALUATION CRITERIA**

**a. Requirement--**Job analysis and evaluation criteria must satisfy the requirements of 5 CFR Part 335, Handbook X-118C, and this chapter (see par. 18, and app. A and B, this section). Specific procedures to be used for rating guide and crediting plan development must be established in writing. It should be noted that annual performance appraisals and awards must be considered to the extent that they are related to the job to be filled (see par. 3b(3), this section). Individuals and/or organizations involved in the development of selection procedures are responsible for compliance with OPM and VA policy requirements and the procedures' impact on applicants.

**b. Requirement--**Credit based on length of experience or length of service may not be granted unless it can be shown through a proper job analysis and accompanying documentation to be a valid, job-related factor for the position being filled.

**c. Requirement--**Selection procedures not approved for inservice use must be submitted through channels to the Leader, Customer Advisory & Consulting Group with the required documentation to support acceptability. Field stations will not deal directly with the OPM in requesting selection procedure approval.

**d. Guidance--**Development of KSAO (knowledges, skills, abilities and other characteristics) evaluation procedures for General Schedule positions which are not identical to those in appendix A is permissible as long as they are consistent with requirements of the Uniform Guidelines on Employee Selection Procedures. The evaluation process should not include provisions for deducting points or for negative ranking credit for adverse information concerning a candidate

(e.g., adverse and disciplinary actions). Information of this nature should be considered in the annual performance appraisal, the supervisory KSAO assessment, and/or the supervisory appraisal of performance for promotion. Deducting points for inservice placement purposes would constitute a double penalty.

**e. Requirement--In the interest of fairness and equity to all candidates, rating guides for GS positions are to be kept secure. Since they are the basis by which point credit is to be granted, they may not be reviewed by potential candidates prior to the announcement of a vacancy or prior to rating and ranking. To do so may give a candidate unfair advantage. This does not preclude:**

**(1) A review of the rating guide by the employee and/or a properly designated representative during the informal grievance stage or in conjunction with EEO investigations;**

**(2) Review and release to authorized officials who have a need to know for the performance of their official duties; or,**

**(3) Release for inclusion in EEO or grievance files.**

## **10. PROMOTION PANELS**

**a. Guidance--**Either personnel staff members or promotion panels may evaluate candidates against the criteria contained in the rating guide or crediting plan for the position(s). Separate panels may be used for each position or panels may be established for specific categories or positions. Use of promotion panels is strongly encouraged because it provides a base for the justification of the rating and ranking in accordance with the Uniform Guidelines on Employee Selection Procedures.

**b. Requirement--**Handbook X-118C requires a panel of one or more raters who know or can quickly learn about both the job and the employees' qualifications (Subject Matter Experts) and a reviewer (usually a HRM Specialist) for trades and labor promotion opportunities (see subpars. c and d below).

**c. Requirement--**If promotion panels are used to evaluate and rank candidates, the panel members (except the Personnel representative) must be subject matter experts (see sec. A, par 4e), one of which must be at least equal in grade to the job to be filled. All must have a clear understanding of the functions of promotion panel members and clearly understand the rating guide or crediting plan, the selection procedure being used, and basic personnel management concepts related to qualification and rating and ranking, preferably at the journeyman level. In performing their functions, panel members are official representatives of management. The selecting official will not serve as a panel member unless there are no other qualified SME's available. Selecting officials who serve as panel members must understand clearly the difference between the two functions and carefully observe merit principles.

d. **Requirement--**If promotion panels are used, panel members, as part of their official responsibilities, must review certain personal information concerning candidates. Other employees who may be present as observers during the deliberations of the panel are not permitted access to such documents and written information concerning any candidate without the written consent of the subject of the record. All persons present at promotion panel meetings are precluded from revealing information of a confidential or personal nature about any candidate which may be gained during the deliberation process and may be disciplined if they do so.

## 11. REFERRAL AND SELECTION

### a. Referral

(1) **Requirement--**The best qualified group referred to the selecting official for promotion consideration will consist only of the VA candidates from whom promotion competition is required (e.g., if reassignment and/or demotion candidates are competing for a position with higher potential along with promotion candidates, the best qualified group will consist of the top ranking VA candidates from the three sources combined).

(2) **Requirement--**If transfer and/or reinstatement eligibles are being considered for higher grade positions, they must be evaluated and ranked along with competing VA employees to determine the cut-point has been established, the best qualified VA candidates will be referred on a promotion certificate and the best qualified transfer and reinstatement candidates on separate lists. In such cases, an inadequate number of best qualified VA promotion candidates is justification for extending the area of promotion consideration to other VA employees. **Guidance--***NOTE: An extension of the area of promotion consideration resulting in additional VA candidates for promotion under these circumstances may cause the cut-point to change and necessitate a redetermination of best qualified candidates for each recruitment source.*

(3) **Requirement--**When a position is announced at multiple grade levels, a best qualified group for each grade level, if available, will be referred for consideration on separate certificates.

(4) **Guidance--**A best qualified group consists of VA candidates who are competing for promotion and/or for a position with higher promotion potential. VA employees who are candidates for reassignment and demotion to a position with no higher potential have acquired that status through previous competition or other appropriate procedures. Transfer applicants from other agencies and reinstatement eligibles for positions equal in grade to their current or former nontemporary, competitive service positions have also achieved that status through appropriate competition. To mingle such candidates with VA employees who are competing for promotion could result in displacement of best qualified VA employees from the promotion certificate and, therefore, reduce advancement opportunities for them.

(5) **Guidance--**The number of promotion candidates to be referred will vary depending on the cut-point (see app. A, par. 7c), the number of candidates being considered and other circumstances which prevail. At any rate, the selecting official should receive an adequate number of promotion

candidates, if available, for consideration. Although rating and ranking is permitted when there are 10 or fewer qualified promotion candidates, referral of all candidates for consideration without rating and ranking is permissible (see app. A, par 7b(1)). Best qualified candidates may be referred by category, 1-2-3 rank order, or in alphabetical order.

**(6) Guidance**--When the point credit difference between candidates is so small that a bona fide difference in predicted capability is not apparent, it may be desirable to obtain additional information from such candidates to determine whether there are, in fact, meaningful distinctions among them. The selecting official should not, however, be burdened with so many candidates that considering all candidates unduly delays the selection process; and an administrative limit may be necessary. Generally, 10 promotion candidates are considered sufficient.

**(7) Ties. Guidance**--All candidates with tied scores at the cut-point may be referred, if the plan so provides. If ties in total scores of candidates will result in a referral of more promotion candidates than the selecting official can reasonably consider and additional information cannot be collected or results in no meaningful distinction, provisions may be made to break the ties to arrive at an appropriate number of referrals (see app. C, this section).

#### **b. Selection**

**(1) Requirement**--The responsibility for selection must be vested in one official. Promotion panels will not make final selections or recommendations.

**(2) Requirement**--A selecting official has the right, which will not be negotiated, to select or non-select candidates from a properly constructed promotion certificate. This includes the right to non-select all of the candidates and return the promotion certificate unused. Additionally, when a promotion certificate is issued to provide consideration for more than one vacancy and the selecting official selects for one vacancy, this action does not carry with it an obligation to select others from the promotion certificate for the remaining vacancies or preclude the consideration and selection of an applicant from any other appropriate recruitment source.

**(3) Requirement**--Once a final, properly constructed promotion certificate resulting from the original announcement has been issued, another merit promotion certificate for the same vacancy will not be issued for 6 months. Selection must be made from the properly constructed promotion certificate resulting from the original announcement if the position is filled by competitive promotion during that 6-month period (see sec. A, par. 3d, this chapter). **Guidance**--The cancellation of an announcement and the resulting certificate after a best qualified group has been determined for the purpose of improving or injuring the chances of any person is in direct conflict with law (see sec. A, par. 3d(1)(f)). Such actions intended to alter the best qualified group because a particular employee is not included in it (such as providing time to meet basic qualification requirements, to meet other legal and regulatory requirements, to change supervisory appraisals to increase or decrease any employee's chances, etc.) are inconsistent with merit principles and law. The preceding requirement does not preclude the following actions:

(a) Adding high quality candidates if available from the rating and ranking process to replace best qualified candidates who decline consideration after the original promotion certificate has been issued; or

(b) The addition of high quality candidates who rank above the cut-point located as a result of an extension of the area of promotion consideration when an interim referral was made using a smaller area of promotion consideration.

**(4) Guidance--**Selecting officials should act promptly when considering candidates referred on a promotion certificate. It is not only in the interest of good management, but also of major concern to employees, that decisions concerning promotion opportunities be made expeditiously. Excessive delay often causes undue frustration on the part of candidates which may result in an erosion of trust and confidence. For these reasons, when there is excessive delay, it is entirely proper to require written justification from a selecting official to the HRM office. While some circumstances may require more time than usual, selecting officials normally should be able to make a decision within 5 workdays after receipt of a promotion certificate consisting of best qualified local candidates and within 10 workdays after receipt of a promotion certificate with best qualified candidates from an extended area of promotion consideration.

## **12. CAREER PROMOTIONS**

**a. General.** A career promotion is one without current competition when:

(1) An employee was appointed, or selected through the use of competitive promotion procedures, for an assignment intended to prepare the person for the position being filled (career ladder); or

(2) The employee's position is reclassified in a higher grade because of accretion of additional duties and responsibilities.

**b. Requirement--All promotion plans must provide for career promotions, including career-ladder promotions in movements between VA stations.**

**c. Career-Ladder Promotions**

**(1) Requirement--Career-ladder promotions without current competition may be made only when the intent was a matter of record prior to the initial selection and all potential applicants were so informed. Career ladders must be documented and be available to employees. Career-ladder positions are those with known promotion potential; therefore, an announcement under competitive promotion procedures must inform possible applicants of the potential available to the selectee.**

**(2) Guidance--Career ladders may consist of potential to the next higher grade or through several intermediate grades to a target several grades higher than the initial grade level. Requirement--Selection for the initial position provides only the opportunity for subsequent career-ladder promotion. Promotion to the next higher grade is not guaranteed and depends on: (a) the selectee's demonstration of the ability to perform the duties of the next higher**

grade to the satisfaction of the supervisor; and (b) the availability of enough work at the next higher grade. Meeting the minimum qualification requirements and time-in-grade requirements for a higher grade in a career ladder is, of itself, only an indicator of eligibility, not an absolute guarantee for such a promotion.

(3) **Apprentice Position. Requirement--**When an employee has been properly selected for the initial grade level as described above, a career-ladder promotion of an apprentice in a trade or craft may be made through intermediate grades (if appropriate) to the target grade level.

(4) **Trainee Position. Requirement--**A properly selected trainee may receive career-ladder promotions through intermediate grades as each phase of training is satisfactorily completed to the target grade level when the entire training program is satisfactorily completed.

(5) **Understudy Position. Requirement--**Occasionally, an understudy position is established to train a person for a position which is to be vacated at a future date. When properly selected for an understudy position, the selectee may receive a career-ladder promotion without additional competition to the target position when it is vacated. **Guidance--**Normally, the understudy position is established within 1 year or less of the anticipated vacancy.

(6) **Position Filled at a Grade Below the Established or Anticipated Grade. Requirement--**A career-ladder promotion may be made of an employee in a position which was properly filled at a grade below the established or anticipated grade.

(7) **Training or Executive Development Agreements. Requirement--**An employee, properly selected through competition as described previously, may receive a career-ladder promotion upon satisfactory completion of an approved training agreement or executive development agreement which specifically provides for the promotion.

(8) **Details for Training or Evaluation. Requirement--**An employee properly selected for a training or evaluation detail to a higher grade position or to one with known promotion potential may receive a career-ladder promotion if the fact that the detail could lead to promotion was made known to all potential candidates for the initial detail.

(9) **Veterans Readjustment Appointee. (5 CFR 307.103) Requirement--**When a Veterans Readjustment Appointment is made to a position with known promotion potential, subsequent career-ladder promotions may be made through intermediate grades (if appropriate) to the target grade level.

(10) **Others. Requirement--**When employees serving under the following types of appointments have satisfied the specified criteria of the appointment authority and are properly converted to career or career-conditional appointment in the competitive service in positions with known promotion potential, career-ladder promotions may be made through intermediate grades (if applicable) to the target grade level:

(a) Student Education Employment Program (formerly Cooperative education students) (5 CFR 213.3202(b));

(b) Service disabled veterans (5 CFR 315.604);

(c) Service disabled veterans (30 percent or more) (5 CFR 315.707);

(d) Severely physically handicapped or mentally retarded employees (5 CFR 315.709);  
and,

(e) Presidential Management Interns (5 CFR 315.708).

**d. Career Promotion of an Employee Whose Position is Reconstituted in a Higher Grade**

**(1) Requirement--**An employee whose position is reconstituted in a higher grade because of the accretion of additional duties and responsibilities may receive a career promotion.  
*NOTE: The basic function of the original position must continue to be a part of the new one.*

**(2) Guidance--**Employees serving on identical-additional position descriptions are supposed to perform identical duties. It is the supervisor's responsibility to ensure that subordinates perform described duties. To single out one of several such employees for this type of career promotion may, therefore, be interpreted by others to be an act of personal favoritism. Any action of this nature should occur only after careful consideration and sufficient justification.

**(3) Guidance--**There may be times when circumstances require the assignment of additional duties and responsibilities to a position which will result in a promotion and competition is not practical. Some examples are: (a) higher level management decision result in a change in workload, technology, procedures or organization and provide for no increase in ceiling. The decision results in a need for a higher grade job to accomplish the assigned tasks. Only one of the employees in the affected unit, which is at ceiling, can qualify for the job; (b) an increase in technology results in the purchase of new equipment for a line of work requiring an increase in the level of duties and responsibilities for those who will operate it. The employees will continue to perform the same basic function but at a higher level required by the new equipment; (c) additional personnel are assigned to an organization which results in a supervisor's position being upgraded; (d) additional responsibilities are imposed by law, rule, regulation or policy. To carry out the mandate, new duties must be added to a position in a unit and only one position provides the knowledges, skills or abilities necessary for satisfactory performance in the new job; or (e) an employee performs a job in such an exemplary manner that other key employees outside the unit gradually come to rely on that person to such an extent, and involving such complicated issues, that eventually the employee is performing duties which are properly classified at a higher grade.

**(4) Requirement--**The prohibited personnel practices contained in law (see sec. A, par. 3d, this chapter) preclude the granting of preference or advantage, not authorized by law, rule or regulation, to improve or injure the prospects of any person. Managers, supervisors, personnel officials and selecting officials are responsible for ensuring that actions resulting in

a promotion because of additional duties and responsibilities are not the result of a prohibited practice.

### 13. SUPERVISORY POSITIONS

a. **Requirement--**The qualification standard for supervisory positions, OPM's Operating Manual – Qualification Standards for General Schedule Positions, will be used along with the specific qualification standard for that position for basic qualification determinations for supervisory positions. For wage grade jobs, the job-element system required for supervisory trades and labor jobs, Handbook X-118C, will be used. Since supervisory positions require certain knowledges, skills, abilities and other characteristics related to the supervisory function, KSAO's for GS supervisory positions must be reflected in the rating guide (see app. A, this section).

b. **Training for First-Level Supervisors. Requirement--**Suitable initial supervisory training will be provided for all newly selected first-level supervisors, either before they assume their new duties, or as soon after as possible. **Guidance--**MP-5, part I, chapter 410 and 5 CFR Part 410, contain policy related to this training, including time limits.

### 14. TEMPORARY PROMOTIONS

a. **Requirements--**Competitive promotion procedures must be used when a temporary promotion will exceed 120 days. When a temporary promotion of 120 days or less is made as an exception to competitive procedures, an extension beyond 120 days must comply with these procedures. Candidates for a temporary promotion must be informed in advance of the temporary nature of the action, including the expected length, and assured of return to a position for which qualified at the former grade level upon termination of the temporary services in the higher grade, whether or not the expected period is completed. An initial competitive temporary promotion may be made for a specified period of not more than 5 years in accordance with 5 CFR 335.102 (f). In some instances after review of the circumstances and a determination that a temporary situation remains, extension may be justified. The initial promotion and such extension(s) will not exceed more than 5 years. If all potential candidates are properly informed in advance, a temporary promotion may be made permanent. **Guidance--**Requests to OPM for extension beyond 5 years in accordance with 5 CFR 335.102(f) must be submitted via the Customer Advisory & Consulting Group (051).

b. **Guidance--**Upward mobility opportunities, which result in the selectee being placed in a higher grade for training, should be processed as temporary promotions which may be made permanent. Upward mobility candidates who are unsuccessful must be returned to their former grade (see MP-5, pt. I, ch. 410 app. A, par. 7a). A permanent promotion, if success is not attained, would require the use of adverse action procedures for return to the former position.

### 15. EMPLOYEE AND LABOR RELATIONS

a. **Guidance--**While it is obvious that a monetary benefit accrues from promotion, the overall effect may involve many psychological and social aspects such as: peer group, community or social standing; satisfaction of personal needs; improved chances for further advancement; opening



up a new career path; a feeling of success; a sense of equality; etc. For these reasons, true adherence to merit principles is of prime importance. Employee trust, understanding, participation and support are essential for an effective promotion program.

**b. Requirement--Within the appropriate provisions of title 5, United States Code (e.g., sec. 7103(a)14, 7106 (a) and (b), 7117(a) and 7135), stations must meet with exclusively recognized labor organizations representing employees covered by this chapter to consult and, as appropriate, negotiate concerning the development or modification of promotion plans under this chapter's provisions, including the procedures for its implementation and its impact on affected employees of the unit.**

**c. Keeping Employees Informed**

**(1) Requirements--The written promotion plan must be available to employees subject to its provisions. In addition, any employee who has an interest in, and inquires about, a specific promotion action will be given the following information by the HRM office or the selecting official (see par. 9e, this section):**

**(a) Whether the employee was considered for promotion and, if so, whether determined basically eligible in accordance with the applicable qualification standard;**

**(b) Whether the employee was in the best qualified group referred for selection consideration;**

**(c) Who was selected for promotion; and**

**(d) In what areas, if any, the employee should improve to increase future chances for promotion.**

**(2) Requirement--Employees must be permitted, upon request, to review or obtain, or both, copies of any record of production or supervisory appraisal which was used or may be used in considering them for promotion. Guidance--If the employee requests it, he or she should be permitted to have another person present when the record is reviewed.**

**(3) Requirement--Employees may see appraisal and records containing personal information about other employees only when dictated by their official responsibilities. Otherwise, employees are not permitted to see such information without the signed written consent of the subject of the record, unless the record has been properly sanitized for the protection of privacy.**

**(4) Guidance--Employees should be advised periodically of the various methods available for filling vacancies and the merit principle of selecting from among the best qualified candidates available. Information concerning recruitment and selection from various recruitment sources, exceptions to competitive promotion procedures, career promotions, selection by inservice placement actions other than promotion, selection by transfer from other agencies, appointments, etc., should be provided periodically.**

## 16. GRIEVANCES

a. **Requirement--Failure to be selected for promotion from a properly constructed promotion certificate (nonselection from a group of properly certified candidates) is not a basis for formal complaint.**

b. **Requirement--Dissatisfaction concerning the number of positions to be filled, or the grade level at which positions are advertised or filled, is not a basis for formal complaint.**

c. **Requirement--A grievance will be processed under a negotiated grievance procedure where applicable, or otherwise, under the provisions of the VA grievance procedure contained in MP-5, part I, chapter 771.**

d. **Guidance--In many instances, through and complete initial efforts to resolve dissatisfactions are successful. The time and effort involved at the beginning is to the benefit of both employees and management: increasing trust and understanding; providing for early, mutually satisfactory resolution; and reducing expenditure of time, effort and money. Comprehensive, good faith initial efforts cannot be overemphasized.**

## 17. PROMOTION RECORDS

a. **Requirement--A temporary record of each promotion action sufficient to allow reconstruction of the action, including documentation of how each candidate was rated and ranked, must be maintained for 2 years or until the local promotion program has been formally evaluated by the OPM, whichever comes first. If the time limit for grievances or EEO complaints has not lapsed at the time the program is evaluated by the OPM, the record must be maintained until it has lapsed.**

b. **Guidance--To provide for reconstruction the following should be kept in a promotion file:**

- (1) A copy of the vacancy announcement, including a teletype, if used;
- (2) A copy of the rating guide or crediting plan used;
- (3) A copy of each employee's application for consideration;
- (4) A record of each qualification determination, clearly indicating the reasons for any disqualifications;
- (5) A copy of each basically qualified candidate's annual performance evaluation;
- (6) A copy of each basically qualified candidate's supervisory appraisal for promotion;
- (7) Supplemental qualification statements for each basically qualified applicant, if used;
- (8) The identification of the selection procedures used;

(9) A work sheet for each basically qualified candidate documenting: (a) the basis of basic qualification determination, including what was used to satisfy general experience, specialized experience, and quality level of experience requirements (if applicable); (b) the education which was substituted for experience in determining basic qualification; (c) the basis for determining quality level and the corresponding point credit for that level; (d) identification of awards, training or self-development which contributed to credit; (e) the total point credit awarded the candidates; (f) a notation of whether the candidate is in the best qualified group; and, (g) the signatures of the personnel staff member involved and those of promotion panel members (if applicable);

(10) The completed promotion certificate showing the names certified for promotion, the decision, the selecting official's signature and date;

(11) A copy of the notices (FL 5-179) to applicants concerning the outcome of the action, if applicable; and

(12) An explanation of any circumstances peculiar to the action which is needed for clarification.

## **18. SELECTION PROCEDURE DOCUMENTATION**

**a. Requirements-**The following requirements are prescribed by the Uniform Guidelines on Employee Selection Procedures for documentation of a selection procedure supported by content validity. Good documentation provides a basis of support for the procedure should its validity be challenged. Lack of documentation increases the possibility of a finding of adverse impact and, therefore, discrimination, or may preclude establishing adequate job relatedness.

(1) The names, titles and other identifying information of all personnel involved in developing the selection procedure;

(2) Dates of events. Documents concerning each step of the selection procedure development, from the job analysis through the rating guide, forms developed, supplemental experience statements etc., must contain the date;

(3) Job analysis information. All notes and decisions related to the job analysis and subject matter expert panel decisions (including the list of tasks; the relationships of the KSAO's to the tasks; the determination of the important KSAO's; the quality level statements related to each KSAO or rating factor; supplemental experience statements; supervisory KSAO assessment if developed; the specialized supervisory appraisal, if developed; the rating guide; etc.).

**b. Requirement-**The selection procedure documentation file must be maintained as long as it is used and for at least 2 years after the procedure has been discontinued.

**c. Guidance-**For wage grade jobs, the job elements have, in many instances, been provided. Requirement-Documentation for the crediting plan development must, however, be maintained. A record of the review of the individual position and the adequacy of Handbook

**X-118C job elements; documentation related to alterations, deletions, and additions of job elements; the crediting plan, including quality level statements; supplemental qualification statements; supervisory KSAO assessments; etc., are necessary for support of the procedure.**

**d. Guidance--**The documentation for a procedure used for one job may be kept in the merit promotion file for that action. If, however, a procedure is used frequently for a number of actions, the documentation for the procedure should be maintained in a separate file. NOTE: It is important, in such cases, that the merit promotion file for each action identify the selection procedure used, the documentation file for that procedure, and its location.

## **19. PERIODIC REVIEW**

**a. Requirement--**Management at each organizational level responsible for the administration of promotion plans will make a comprehensive review of their promotion plans periodically. **Guidance--**Service and division chiefs, supervisors, employees, and labor organizations should participate in such reviews which should occur at least once each 3 years.

**b. Requirement--**Periodically, the Assistant Secretary for Human Resources and Administration will review: (1) the overall operation of field station, staff office and departmental programs to determine the extent of conformance with requirements; and (2) the VA-wide merit promotion program to ensure that policy requirements are realistic and practical and to recommend improvement when needed.

## **20. CORRECTIVE ACTIONS**

**Requirement--**Corrective action may be required by VA Central Office officials and other officials responsible for the establishment and administration of promotion plans, or by officials of the Office of Personnel Management, the Merit System Protection Board, or the Equal Employment Opportunity Commission. Corrective action may include appropriate disciplinary action when warranted.

## **APPENDIX A. DEVELOPMENT OF RATING AND RANKING PROCEDURES**

### **1. PURPOSE**

This appendix is designed to provide assistance in developing merit promotion rating and ranking procedures which meet the criteria established by the Office of Personnel Management, the Uniform Guidelines on Employee Selection Procedures, and the courts. This appendix is not intended to provide complete information on validity studies and the development of valid selection procedures. It should be supplemented by formal training and by reading current professional personnel literature.

### **2. PRINCIPLES OF CONTENT VALIDITY**

a. Three types of validity studies for demonstrating the job-relatedness of a selection procedure have been defined by Federal equal employment opportunity enforcement agencies, professional organizations, and the courts. They are criterion-related, content and construct validity studies. These types of validity studies are described in the Uniform Guidelines on Employee Selection Procedures. Because the content validity approach is the most practical option currently open to most employers, all VA selection procedures must meet content validity standards.

b. Basically, the degree of content validity depends on how well and how consistently the selection procedure measures each applicant's ability to do the job. This means each applicant must be evaluated on the KSAO's (knowledges, skills, abilities, and other characteristics) which are required by the important duties or responsibilities of the job being filled. The steps required in the development of a content valid selection procedure are briefly outlined here and discussed in greater detail later in this appendix.

Step 1-Conduct a job analysis. This is the important first step in developing a content valid selection procedure. The job must be thoroughly studied and analyzed to identify its important duties and tasks and to identify the KSAO's necessary for successful performance of those duties and tasks.

Step 2-Decide which KSAO's will be used in predicting job success. For example, the importance of each KSAO, whether it can be measured, and whether it distinguishes between superior and barely acceptable applicants must be determined.

NOTE: A KSAO which can be learned during the first few months on the job usually should not be used as a factor in the selection procedures.

Step 3-Develop a rating and ranking guide which will measure the degree to which applicants possess the KSAO's identified in step 2. The sources and types of information which will be used in evaluating applicants on the KSAO's must be determined. Quality level examples must be established which define levels of competency in each KSAO in terms of observable tasks, activities and behaviors available in the sources and types of information to be used. A point crediting system based on these quality levels must be developed.

Step 4-Review the adequacy of the final rating and ranking guide. Are there any additional KSAO's which should be measured? Will the best qualified applicants be identified? Are only important KSAO's being measured? Can each KSAO be measured?

Step 5-Measure each applicant's capabilities against the rating and ranking guide.

c. Content validity can only be used when selection procedures measure directly observable KSAO's. When KSAO's are stated in terms of unobservable characteristics or personality traits, such as dependability or leadership ability, the selection procedure cannot be validated by means of a content validity study. Characteristics and personality traits, however, may often be broken down into directly observable behaviors which may be measured using a content valid selection procedure. For example, dependability might be demonstrated by the ability to complete work assignments within a specified timeframe; or leadership ability might be shown by the ability to delegate work assignments to subordinates. Content validity can be used to demonstrate the job-relatedness of the selection procedures.

d. OPM requires that promotion procedures meet formal validation requirements. In the past, typically, separate point credit has been given for each of the various sources of information about applicants, such as experience (based on the application, OPF, etc.), supervisory evaluation, training, education, and awards. To have valid merit promotion selection procedures, rating and ranking methods which combine the information gathered from these various sources must be used to rate applicants on each KSAO which a job analysis has shown to be important to the job. Figure 1 provides a graphic comparison of past rating and ranking procedures and those procedures which should be used to meet requirements for validity and merit selection.

e. The following paragraphs of this appendix discuss in detail the steps which must be followed for devising proper content valid merit promotion rating guides. These procedures will require training of personnel staff, supervisors, subject matter experts and selecting officials. (See Figure 1)

### 3. DEFINITIONS

a. KSAO. An acronym standing for the words, "knowledge, skill, ability and other characteristic."

(1) Knowledge. A body of learned information used directly on the job.

(2) Skill. A present competence to perform a learned psychomotor act. A skill, unlike an ability, typically involves observable, quantifiable, and measurable performance parameters, (e.g., typing, pipefitting, etc.)

(3) Ability. The competence to perform an activity at the present time. NOTE: Ability should not be confused with aptitude which implies a likelihood of being able to learn to perform an activity.

(4) Other Characteristic. Other competencies required of individuals doing the job. Remember that for content validity purposes, personality traits or aptitudes must be directly observable and measurable. This may require further definition of the trait in terms of its directly observable manifestations (see par. 2c).

**RATING AND RANKING SYSTEM**

		EVALUATION FACTORS					Points Assigned (Old Method)
		KSAO 1	KSAO 2	KSAO 3	KSAO 4	KSAO 5	
SOURCES OF INFORMA- TION ON APPLICANT S	Experience (Application)						_____a
	Supervisory Evaluation						
	Education						_____a
	Training						_____a
	•						_____a
	•						_____a
	Other						_____a
Points Assigned (New Method)	_____b    _____b    _____b    _____b    _____b						

Under the old method, each source of information was considered individually, and points – the lines labeled “a” -- were assigned. For example, in this type of system, 30 points may have been assigned to the supervisory evaluation, 25 points to experience, etc. In theory, the points assigned to each source of information were awarded based on an applicant’s capabilities to do the job (i.e., the KSAOs) as indicated by that source. Unfortunately the theory was not always true in practice. Often irrelevant KSAOs were considered, a single KSAO strength would be credited several times, or an important job requirement not evaluated. Under the new method the evaluation is based on the applicant’s capabilities on each KSAO required in the job. All available sources of information, in combination, are used to arrive at a score – the lines labeled “b” – on each KSAO, not by awarding points for each separate source and then totaling those points. The individual KSAO scores are then added to arrive at an estimation of an applicant’s capability to do the whole job.

**FIGURE 1**

NOTE: While knowledges, skills, abilities and other characteristics are separately defined, they often overlap and can be combined into one evaluation factor. Many of these factors may contain elements of all four.

b. Rating Factors. The KSAO's or groups of KSAO's identified in the job analysis and selected for use in the rating guide (see par. 4e, this app.).

c. Quality Levels. Examples of elements in the background of individuals which demonstrate the level of possession of a particular KSAO or rating factor. Many rating guides show three quality levels for each rating factor.

d. Selection Procedure. Any measure or combination of measures used as a basis for an employment decision (e.g., hiring, promotion, demotion, selection for training if the training leads to an employment decision, etc.). Selection procedures include the full range of assessment methods such as written tests, qualification standards, scored and unscored application forms, rating and ranking plans, and formal and informal interviews.

e. Selective Factors. A KSAO or group of KSAO's identified in the job analysis as being critical to the job. Selective factors are used in addition to the appropriate qualification standard requirements to determine the basic qualifications of applicants. The minimum level of proficiency required to do the job must be described for each selective factor and applied in basic qualification determinations. The use of a KSAO as a selective factor does not preclude its use as a rating factor when it meets the criteria in par. 4e, this appendix.

f. SME's (Subject Matter Experts). See section A paragraph 4e, this chapter. For job analysis/rating guide development panels one SME must be at least equal in grade to the job to be filled. Since the selecting official often has the most knowledge about the job, that person should ordinarily be included on the SME job analysis/rating guide development panel.

#### **4. JOB ANALYSIS**

a. General. The first step in developing a content valid selection procedure is the job analysis. The purpose of a job analysis for selection procedure development is to find out what is required of the person who does the job. The duties of the job and the capabilities an individual must have in order to do it are both objectives. In job analysis terminology, identify the tasks performed in the job and the KSAO's (knowledges, skills, abilities and other characteristics) a person must possess to do those tasks.

b. Approaches to Job Analysis. There are several approaches to analyzing jobs for the purpose of developing selection procedures: an entire class of positions which are common to a number of VA installations and which do not vary much from location to location can be analyzed; the analysis can focus on a group; or the analysis can zero in on a single job. In the group or class study, emphasis is on gathering a broad base of job information from which KSAO's required in all the jobs in the group or class are derived. In the single job study, emphasis is on determining the KSAO's required in the specific position with less effort devoted to obtaining background information.



(1) Class Analysis. A class of positions, such as Veterans Benefits Counselor or Physical Therapist, which is common to a large number of VA installations can be centrally analyzed on a grade-by-grade basis and the results shared among VA users. Such class analyses will be done only under the direction of the Deputy Assistant Secretary for Human Resources Management (05). Since no two jobs are exactly alike, there is a need to identify many more tasks and many more KSAO's than are likely to appear in any one position. As part of the class analysis, quality level examples are prepared for each KSAO. When an individual position is to be filled, responsible officials will decide which of the KSAO's identified in the class study are applicable to that particular job and whether there are any unidentified KSAO's unique to it. Using the predefined KSAO's and their corresponding quality levels (plus locally defined quality levels for KSAO's unique to that particular job, if any), a local rating and ranking procedure may be developed.

NOTE: The local job must be closely surveyed and the KSAO's carefully selected to ensure job relatedness. If an important KSAO required in the local job has not been identified in the class study, it must be defined, documented and developed locally, including quality level descriptions, inclusion in supplemental experience statements, specialized appraisals, etc.

(2) Local Analysis of a Group of Jobs. Often several jobs at an installation are enough alike in tasks performed and level of responsibility and difficulty to be grouped and analyzed together. Usually, those jobs will have the same grade and title. For example, there are a number of tasks which are performed by all GS-4 Nursing Assistants in a medical center even though they may be assigned to medical, surgical or psychiatric units. By using appropriate sources of information and input from a panel of SME's representing each of the areas where GS-4 Nursing Assistants work, a list of tasks, KSAO's and quality level examples for the whole job group can be developed. When an individual job is being filled, the KSAO's required in that job are selected from the pool of GS-4 Nursing Assistant KSAO's and used to rate and rank applicants.

NOTE: Care must be taken to ensure that all the KSAO's which are needed to identify the best qualified applicants for the individual job have been included in the rating and ranking procedure.

(3) Single Job Analysis. Many jobs may not lend themselves to a group or class job analysis, or such an analysis may not yet be available. These jobs may be few-of-a-kind jobs or those which, even though they share a common title and grade, have duties and responsibilities which require different KSAO's. The procedures followed in a single position study are similar but not identical to those followed in a group or class study. In the single job study the sources of job analysis data do not have to be as wide and varied as those used in a larger study; however, the input from the SME's must be more specific, and the KSAO's must relate directly to the individual job.

c. Common Elements in Any Job Analysis. While the job analysis approaches discussed above vary in their focus and scope, there are a number of elements which must be included in any job analysis.

(1) Review of Job Information Material. This may include position descriptions, position reports, classification and qualification standards, organization manuals, organization charts, functional statements, previous job analyses, professional literature and any other relevant source of information about the job. The judgments and conclusions influenced by these materials directly affect all other aspects of a selection procedure. It is, therefore, of prime importance that their accuracy, currency, appropriateness, etc., be verified at the outset.

(2) Direct input from SME's (Subject Matter Experts).

(3) Determination of the functions, duties and tasks of the position(s).

(4) Identification of the KSAO's an individual needs to do the tasks.

(5) Determination of which KSAO's to measure.

(6) Definition of the various quality levels of individual capabilities on a KSAO that describe superior, above average, average, etc., possession. These quality level definitions must be based on observable behaviors and are dealt with in paragraph 5c, this appendix.

d. Who Conducts the Job Analysis. The HRM Officer or a designated HRM specialist performing at least at the first full performance level (usually GS-9) is responsible for conducting the job analysis. The assistance of a position classification specialist in determining major functions and duties of properly described and classified positions is usually beneficial. The HRM representative should first review available sources of information on the job such as those mentioned in subparagraph c(1) above. After becoming more familiar with the job, the HRM representative should convene a panel of SME's (see sec. A, par. 4e, this chapter and par. 3f, this appendix) who will give direct input on the tasks and KSAO's involved in the job. The size of the SME panel may vary depending on the scope of the analysis. The panel should be large enough to ensure that input is received on all important aspects of the job or class of jobs and small enough to allow for free and easy discussion. If a single position is being analyzed, three or four SME's should be sufficient.

e. Steps in a Job Analysis. The steps in the job analysis must be carefully documented. This documentation must be retained as part of the validity evidence required by the uniform guidelines (see sec. C, par. 18, this chapter).

Step 1-Identify the major functions or tasks performed on the job. HRM Officers or Specialists conducting a job analysis may find the following questions useful in obtaining information from SME's. What duties or tasks does an incumbent of the position perform? What takes most of a worker's time? What do the best workers do? What do the just acceptable workers do? What is the most important/critical duty of the job?

Step 2-Identify the KSAO's needed to do the tasks identified in Step 1. Questions which might be asked of SME's to obtain a list of KSAO's are: What KSAO's should a good employee possess? What KSAO's does the superior worker have that the average worker doesn't? Think of the best employees-what makes them the best? Some people didn't work out in the job-why didn't they?

Step 3-Relate each KSAO to a task or duty.

Step 4-Study each KSAO and decide if it is critical to successful performance of the job. If an applicant is not competent in this KSAO, can that person do the job? If not, the KSAO is critical and is used as a selective factor when making minimum qualification determinations. The minimum level of proficiency required to do the job must be described for each selective factor.

Step 5-Decide which KSAO's will distinguish superior applicants from the acceptable. Is there a difference in individual levels of competency in the KSAO? Will someone with a higher level of competency do a better job? KSAO's that differentiate between applicants may be used as rating factors.

Step 6-Decide which KSAO's are measurable. Can information be collected on each applicant which will make it possible to determine the individual's level of competency on the KSAO? If the information can be collected, what is the most practical and cost effective way to do so? Sources of information on applicants are discussed in detail in paragraph 6 below.

Step 7-Decide which KSAO's will be used in rating and ranking applicants. Five is generally considered the ideal number of rating and ranking KSAO's. This number will usually obtain meaningful distinctions among applicants and will allow for rating and ranking within a reasonable period of time. If there are more than five KSAO's which differentiate among applicants and can be measured, it may be possible to combine two or more of them. To be combined, KSAO's need not be identical; but the sources of information used to determine the appropriate quality level on each of the combined KSAO's should be the same or similar. Also an applicant's level of ability on each of the combined KSAO's should be about the same.

Step 8-Describe the quality levels for each KSAO to be used. This step is defined in more detail in the following paragraph on rating guides.

## **5. RATING GUIDE**

a. General. When the job analysis has been completed, a rating guide must be developed which can be used to rate and rank applicants for the position. To provide continuity, the rating guide should be developed, under the general direction of the responsible HRM Specialist, by the same SME's who analyzed the job. If this is not possible, it may be developed by another group of SME's or by the HRM Specialist. Just as the job analysis may be conducted on an individual job or on a class or jobs, the rating guide can be developed for a single job or a group or class of jobs. In all cases, before a rating guide is used to rate applicants for a particular job, it should be reviewed by the selecting official. If the guide is developed by the HRM Specialist, it should also be reviewed by the job analysis SME's, or at least one SME, to ensure that the job analysis information has been correctly translated into the rating guide. Before the rating guide can be used, it should be approved and signed by the HRM Officer or other appropriate official who is responsible for its application.

b. **Rating Factors.** The final rating guide should consist of four to eight KSAO's or rating factors which satisfy the criteria in paragraph 4e above. Remember that rating factors may be combinations of KSAO's.

c. **Quality Levels**

(1) Each rating factor must be defined in terms of observable behaviors, past experiences, quality of performance, pertinent education and training, etc., which describe several levels of proficiency for the factor. These descriptive quality levels further define the rating factor by giving concrete examples of performance at various proficiency levels.

(2) For critical KSAO's used as selective factors in basic qualification determinations, the minimum level of acceptable competency must be defined as discussed in paragraphs 3e and 4e, above. Quality levels above the minimum level are also developed for a critical KSAO when it is also used for rating and ranking.

(3) Three quality levels should be described for each rating factor, whether critical or important, which is used to distinguish superior applicants. Three is not an absolute requirement but is generally the easiest number to work with. It is important to distinguish between levels of ability that are required as soon as a person begins working in the job (these may be used in the rating guide) and those which can be acquired after a reasonable time on the job (these generally should not be used).

(4) Developing quality level descriptions becomes easier as persons become more familiar with it. Valuable information on quality level improvement can be obtained from the promotion panel members who have used the rating guide. Their observations and suggestions may also help in developing quality levels for similar positions.

d. **Point Assignment.** There are a number of ways in which points can be assigned to rating factors and quality levels. One simple method is to give each rating factor a maximum value of five points. Assuming that three quality levels have been defined, assign values of 1, 3 and 5 points to the quality levels. Applicants whose background is judged to equate to the top quality level would receive 5 points, those rated in the middle would get 3 points, and those rated at the lowest quality level would get 1 point. The 1-3-5 pattern allows raters to assign 2 or 4 points to applicants whose background is judged to fall between two quality levels. There are also other acceptable methods and procedures.

e. **Review of Rating Guide.** The final rating guide should be reviewed by the SME's and HRM specialist along with information gathered in the job analysis to ensure that all the critical and important KSAO's are covered by the rating factors. Quality levels should be reviewed to make sure they are as definitive as possible and describe elements of employee background and performance which are reflected in available sources of information on applicants.

f. **Approval of Rating Guide.** The completed rating guide should be signed by each member of the rating guide development panel and by the HRM Specialist before being forwarded for final

approval. If the selecting official was not a member of the rating guide panel, he or she should also review the guide.

## 6. SOURCES OF INFORMATION

a. General. Applicants are evaluated by comparing the total information on each applicant's capabilities against the quality levels for each rating factor or KSAO in the rating guide. This information can be obtained from a number of sources, discussed in detail in the following paragraphs. The best way to obtain information on the applicants must be determined for each vacancy. The consideration of what sources of information are available and will be used is important at each stage in the development of the selection procedure. In the job analysis stage, it is important in determining which KSAO's can be measured and will become rating factors. In the development of the rating guide, it is important in determining how the quality level examples are defined. In the evaluation process, the sources of information are the tools used by the promotion panel to arrive at scores for applicants. NOTE: Annual performance appraisals and awards must be considered to the extent they are related to the job to be filled (see sec. C, par. 3b(3), this chapter).

b. Supervisory Appraisals. This can be a very valuable source of information since it allows someone with firsthand experience in supervising the applicant to give an assessment of the person's capabilities. However, remember that for rating and ranking purposes, the supervisory appraisal is only valuable to the extent that it gives information related to the applicant's capabilities on the KSAO's needed in the job being filled. There are several different styles and forms of supervisory appraisals. They may be designed for a specific job, or they may be more general in nature and used in evaluating applicants for a variety of jobs. They may simply require a supervisor to check a statement which most nearly defines an employee's capabilities. Several styles and forms can be combined in a variety of ways depending on how the appraisal is to be used.

### (1) Forms of Appraisals

(a) Standard Appraisal. If other sources of information will yield enough information on applicants to enable raters to arrive at an appropriate rating, a general or standard appraisal which can be used for a number of jobs may be sufficient. In this case, only the items on the standard form which relate directly to the rating factors (KSAO's) of the job in question (rating pattern) would be used. If the standard appraisal does not give direct information on a particular rating factor, then it cannot be used in evaluating an applicant on that factor. Major advantages of the standard appraisal are that it does not have to be individually developed by the HRM Specialist, and it requires little time for the supervisor to complete. The major disadvantage is that it gives little specific information on an applicant's capabilities relative to the requirements of the job being filled; consequently, its value as an evaluation tool is diminished.

(b) Specialized Appraisal. A specialized appraisal is developed specifically to evaluate applicants for a particular job or group of jobs. It is keyed to the KSAO's or rating factors established in the job analysis and used in the rating guide. This form allows the supervisor to address each of the rating factors (KSAO's) directly and increases the value of the information that

the supervisor provides the promotion panel. Its principal disadvantages are the time required for its development and the additional time required for the supervisor to complete a separate appraisal for each job for which and employee applies.

(2) Appraisal Styles

(a) Category Rating. This style consists of a description of the KSAO to be appraised (e.g., ability to prevent ideas orally) followed by either adjective descriptions (outstanding, average, etc.) or descriptions of performance levels and provides for relatively easy comparison of appraisals for several applicants. The supervisor simply selects the category which best describes the employee's capabilities. The pitfall is that supervisors may have varying ideas about what constitutes a high rating, a low rating, etc. An applicant's rating is dependent on the supervisor's individual concepts.

(b) Narrative Rating. This style of rating requires supervisors to write about the applicant's capabilities and, therefore, depends to some degree on the supervisor's writing skills. The narrative often discourages supervisors from rating very high or very low because they must explain their rating in terms of what the employee has actually done. It may, however, be used beneficially with the category rating by requiring supervisors to support their choice of category by citing specific examples of employee performance. Because of its weaknesses, this style may not be appropriate for some jobs, particularly when used alone.

(3) VA Forms 5-4667 and 5-4668. VA Form 5-4667, Appraisal of Employee for Promotion to Non-supervisory or First Level Supervisory Position, and VA Form 5-4668, Appraisal of Employee for Promotion to Supervisory Position Above First Level, are examples of standard appraisals in the category style. These forms may continue to be used for merit promotion purposes. Their use, however, is no longer required.

NOTE: Any form or combination of forms of supervisory appraisals may be used (see par. 6c, this appendix, and sec. C, par. 3b(3), this chapter). It is recommended that merit promotion plans not be restrictive as to the type appraisal which will be used. This should vary depending on the job being filled.

c. Annual Performance Appraisal. Annual performance appraisals, which must be considered to the extent they are relevant to the position to be filled (see sec. C, par. 3b(3), this chapter) are based on performance in the current position. This appraisal is useful in rating and ranking to the extent that elements evaluated in it correspond to the requirements of the job being filled. The annual performance appraisal can be a useful tool for promotion panels, particularly when it is combined with a specially developed supervisory appraisal for promotion. This would allow the panel to get the greatest amount of relevant information from the supervisor. Because the supervisor only has to complete the performance appraisal once a year and it is not necessarily involved with selection and placement at that time, it may be more reliable than a supervisory appraisal required in a particular selection action. The annual performance appraisal, however, very often does not contain the information needed to evaluate an individual's anticipated performance in a new position; and there is the possibility that the employee's performance has changed during the time between the date of the annual performance appraisal and the date of the promotion opportunity.

d. Federal Employment Application. A Federal employment application may be used as the primary source of information about an individual's education, experience, training, etc. For some types of information, e.g., outside activities, a Federal employment application may not be a good tool. Use of a Federal employment application is not required in merit promotion actions if it is possible to get the same or better information from other sources.

e. Supplemental Qualifications Statement. This form is specially designed for use in filling a particular job. It solicits the same type of information as a Federal employment application but requires applicants to give more detailed information on education, experience, training, awards, etc., as they relate to the KSAO's or rating factors being used.

f. Education. Educational attainments often provide very useful information about capabilities. Education may be used as one element in combination with others to make determinations of applicants' capabilities. When considering education, the specific courses taken, as opposed to an academic degree, should be evaluated. For example, if someone has a degree in a particular field of study but did not work very long in that field, the degree may be less relevant than several courses taken in a field in which the person has stayed active.

g. Awards. Awards, which must be given consideration (see sec. C, par. 3b(3), this chapter) should only be used as indicators of an individual's capabilities to the extent that they indicate high interest, incentive, or performance in one or more of the rating factors (KSAO's) being evaluated.

h. Training. While training is frequently distinguished from education on formal vs. informal grounds, relevant training should be evaluated just as any other educational experience.

i. Outside Activities. Unpaid experience may be just as relevant as any other experience and should be evaluated in the same manner as paid experience.

j. Other tools. There are many other ways to collect information concerning an applicant's capabilities. Some of these are: (1) an interview, either by the rating panel or the selecting official (both must deal only with job-related information); (2) an assessment center in which a model of the job activities is used; (3) written test; (4) work samples; (5) reference checks; (6) background investigations; etc.

## **7. EVALUATION OF APPLICANTS**

a. General. Once the rating guide is developed, it must be applied equally to all applicants. Using the sources of information available, candidates must be evaluated against the rating guide and a list of the best qualified applicants developed. Generally, the same sources of information should be used for all applicants. If there is information available on some applicants that is impossible to obtain on others, that information should be used in evaluating the applicants for whom it is available.

b. Evaluation of Qualified Applicants

(1) When there is no rating and ranking of applicants (see sec. C, par. 11a(5)), the selecting official is the key element in the entire process. The selecting official must carefully review the total background of each applicant and make the final decision based on job-related considerations.

(2) Applicants are usually evaluated by promotion panels which are discussed in section C, paragraph 10, of this chapter. Promotion panel members should note any problems arising from the use of the rating guide and report them, with recommendations for correction, to the HRM Officer. This information can be extremely beneficial in rating guide or procedure refinement and in development of rating guides for other positions. The HRM Officer should coordinate with rating guide development panel SME's and the selecting official when a re-analysis is appropriate.

(3) Using an evaluation worksheet for each applicant, promotion panel members should first rate each applicant without consulting one another. They should review all of the sources of information (Federal employment application, supervisory appraisals, awards, etc.) on an applicant and determine for each rating factor (KSAO) the quality level which best matches the applicant's total background for that factor. Panel members should be cautioned that the quality level descriptions are only examples of background patterns which can be credited at each level. There may be information from sources not explicitly described in the quality level, or other configurations of an individual's experience, training, etc., which indicate the level of performance anticipated in the quality level. (See par. 5d, this appendix, concerning suggested point credit.)

(4) After each panel member has rated all the applicants and ranked them to determine a best qualified group (see subpar. c below), the panel should meet to compare ratings. When their ratings differ to the point that an applicant appears to be in the best qualified group according to one rater but not another, the panel should discuss the relevant information available on the applicant and come to an agreement. The raters who change their ratings should document the reasons for the change on the evaluation worksheet for that applicant. If no agreement can be reached, this should also be documented. When no agreement can be reached, as an alternative, final total scores can be obtained by adding together the scores awarded to each applicant by each panel member. These aggregate scores would then be used to determine which applicants to refer to the selecting official. NOTE: The evaluation worksheets of the panel must be signed and kept as part of the promotion file.

c. Cut-Scores

(1) After a score for each applicant has been determined, a "cut-score" must be established to determine which applicants to refer to the selecting official for final consideration. Like all other components of the selection process, the cut-score must be based on valid concerns and be justifiable. Cut-scores will not be set arbitrarily at a particular point score or at a particular percentage of the total possible points. Applicant scores are placed in numerical order and the point determined at which a meaningful distinction can be made between those applicants who will probably perform the job with substantially equal success and those likely to perform with a lesser degree of success.



(2) The following questions should be considered in establishing the cut-score:

(a) Is there a natural gap?

(b) Is the lowest ranking individual who will receive further consideration clearly superior to the highest ranking person receiving no further consideration?

(c) Is it possible for the lowest ranking person receiving further consideration to be equally successful as all other in the group referred?

(3) The following examples illustrate where cut-scores might be set:

#### EXAMPLE A

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	<u>Score</u>	<u>Number of applicants at this score</u>
In this case the	20	3
natural break is	19	2
19 and those scoring	18	0
19 and above would be	17	0
referred.	16	5

#### EXAMPLE B

---

Even though there were	20	5
five applicants who	19	2
received 20 points, the	18	0
two who received 19 are	17	0
so close that not	16	2
referring them would be		
difficult to justify.		
The cut-score would be 19.		

(4) In some cases there will not be a natural break or other readily justifiable point at which to set the cut-score. If possible, additional information should be collected on applicants which will further distinguish among them and allow a meaningful distinction to be made. Unfortunately, this may not always be possible or practical and other procedures for setting cut-scores will have to be used. Each merit promotion plan should describe what procedure will be used if it is not possible to set a meaningful cut-score. When there are several applicants who have the same score and additional information which would allow for a meaningful distinction is not available, it may be necessary to use a tie-breaking procedure such as that described in appendix C.



**CHAPTER 335. INTERNAL PLACEMENT AND PROMOTION**  
**APPENDIX B. JOB-ELEMENT APPROACH FOR WAGE GRADE JOBS**

**1. GENERAL**

The job-element qualification system and evaluation and ranking procedures for in-service placement for trades and labor occupations are mandatory for use in the VA. An in-depth discussion of this procedure is located in Office of Personnel Management Handbook X-118C. In addition, the information in appendix A of this section should be carefully reviewed since it provides valuable information concerning job analyses, rating guides (crediting plans), sources of information, etc., which should be considered in the job-element approach.

**1. PURPOSE**

This appendix is intended to provide an overview of the system and focus attention on certain procedures in Handbook X-118C which are critical to successful implementation.

**3. BACKGROUND**

a. Job Elements. The job-element procedure for wage grade jobs was implemented on January 1, 1971. It was developed through an analysis of wage grade job families which yielded job elements (abilities) directly related to successful performance. The approved job elements for specific wage grade job families are located in appendix A of Handbook X-118C. Under certain circumstances, explained in the Handbook, additional job elements may be developed for a specific position, some of the predetermined job elements may be combined, or some may be deleted. The screenout element, however, may not be deleted.

b. Crediting Plans. The job-element procedure requires development of a crediting plan which is used to determine the relevancy of applicants' background to the job being filled. These crediting plans must be developed and used, both for basic qualification determinations and for rating and ranking purposes. A discussion of crediting plan development is contained in chapter III of the handbook and chapter V of the Internal Qualification Guide for Trades and Labor Jobs issued with it (also, see par. 5, app. A, this section). Sample crediting plans for certain jobs common to the VA were issued to field facilities in 1970 and 1971. The sample crediting plans are not to be applied to local positions until a review of the local job has occurred and the crediting plan altered to conform to the requirements of that specific position, if necessary. A thorough review of chapter V, appendixes A, B and C, found in the Internal Qualification Guide for Trades and Labor Jobs issued with the handbook, and paragraph 5, appendix A of this section, may prove beneficial in the development of crediting plan quality level statements for job elements.

Chapter V of this portion of the handbook stipulates that crediting plans are not made available to employees since the plans contain information that might give them unfair advantage in applying for the job. They may, however, be reviewed and/or released for grievance and EEO complaint purposes as discussed in section C, paragraph 9e, this chapter.

c. Supplemental Experience Statements. VA Form 5-4676, Supplemental Experience Statement for Inservice Placement, and the continuation sheet, VA Form 5-467a, are available for securing information from applicants concerning their qualifications for each job element. Statements used on the VA Form 5-4676 to generate employee responses are extremely important and must be carefully constructed to ensure they are clear, request relevant information and provide for determining the level of experience the employee possesses. Development and use of supplemental experience statements are discussed in the OPM Handbook of Wage Grade Supplemental Forms, February 1971. It should be closely observed when developing the VA Form 5-4676 for employee responses.

d. Other Sources of Information. Paragraph 6 of appendix A, this section, Sources of Information, should be reviewed. Its provisions are applicable concerning supervisory appraisals and options for their use. This includes the option, no longer a requirement, to use current, standardized VA supervisory appraisal forms with a proper rating pattern for the position to be filled. Other information, geared to the KSAO approach for General Schedule positions, is equally valuable for filling wage grade jobs.

e. Rating Sheet. VA Form 5-4677, Job Element Rating Sheet for Inservice Placement, is available for documenting basic qualification determinations and rating and ranking point credit determinations for applicants for trades and labor occupations. A crediting plan must be used in conjunction with this form.

#### **4. RATING AND RANKING CANDIDATES FOR PROMOTION**

a. Supervisor's Appraisal of Performance for Promotion. To rate and rank basically eligible candidates for promotion, a supervisory appraisal of performance for promotion based on the requirements of the specific job being filled may be useful in addition to those factors in paragraph 3 above. Various supervisory appraisals like these described in appendix A, paragraph 6, for the KSAO approach are, however, acceptable.

b. Annual Performance Evaluation. Each candidate's annual performance evaluation must also be taken into consideration in the rating and ranking process. (See sec. C, par. 3b(3), this chapter.)

c. Awards, Training, Self-Development and Outside Activities. Information concerning these items, which may be secured from the employee responses on VA Form 5-4676 and/or from the employee's OPF, a Federal employment application, or other appropriate source, must also be available for consideration in the point crediting process.

d. Basis for Awarding Points for Promotion. When rating and ranking for promotion, the panel, which must include a subject matter expert for the job, reviews each piece of relevant information required by the applicable promotion plan (i.e., the employee's supplemental experience statement, the annual performance evaluation, the supervisor's appraisal of performance for promotion and information related to awards, training, self-development and outside activities). Judgement is used to determine how closely the candidate's total background (as indicated by the combination of all the sources of information required by the applicable plan) matches a quality level for each job element. This process is repeated for each separate job element and points

awarded accordingly, The result will not only provide for a basic qualification determination but will also yield the relative rank of candidates for promotion.

e. Documentation

(1) Promotion File. It is essential that thorough documentation of the panel's decisions include the evidence and rationale used to place the candidate in a certain quality level for each job element. The documentation must be such that a reviewer may easily determine the rationale and judgment used in point credit determinations from the information in the promotion file (See sec. C, par. 17, this chapter).

(2) Selection Procedure. The documentation requirements of the Uniform Guidelines on Employee Selection Procedures apply to procedures developed for wage grade jobs. Those documentation requirements of section C, paragraph 18, this chapter, which are applicable to wage grade selection procedure development must be observed.

**5. DETERMINING BASIC QUALIFICATION FOR REASSIGNMENT, DEMOTION, ETC.**

Rating and ranking to determine a best qualified group are not necessary for certain actions such as reassignment or demotion to positions with no higher potential, or reinstatement to positions at the same grade with no greater promotion potential than previously held. When only basic qualification determination is necessary, use of the appropriate job elements, a crediting plan, a supplemental experience statement and VA Form 5-4677 is sufficient. Additional guidance concerning basic qualification determinations and point credit may be found in Handbook X-118C, chapter IV, and in the instructions on VA Form 5-4677.



## CHAPTER 335. INTERNAL PLACEMENT AND PROMOTION

### APPENDIX C. A PROCEDURE FOR BREAKING TIES

#### 1. GENERAL

When ties occur, it is preferable to collect additional information on each of the tied candidates for further evaluation to determine whether a distinction among them can be made. Unfortunately, in some cases further differentiation is not possible. The sunsetted Federal Personnel Manual (FPM) formerly provided for the use of SCD's (Service Computation Dates) for tie-breaking under such conditions. The following method may be preferable, however, since certain factors influencing the SCD may result in adverse impact against certain groups of employees.

#### 2. PROCEDURE

This is a random procedure which does not contain factors which provide advantage or disadvantage to any particular group. The following example is based on vacancy announcements numbered in sequence during each calendar year such as: Announcement 80-1, Announcement 80-2, etc. This system may have to be altered to conform to local announcement numbering procedures.

		<b><u>LAST DIGIT IN SOCIAL SECURITY NUMBER</u></b>									
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>0</b>
<b>LAST DIGIT IN VACANCY ANNOUNCE- MENT NUMBER</b>	<b>1</b>	6	0	2	9	5	1	4	8	3	7
	<b>2</b>	8	3	9	7	6	0	2	4	5	1
	<b>3</b>	0	2	8	5	4	9	3	7	1	6
	<b>4</b>	5	8	1	6	2	4	0	3	7	9
	<b>5</b>	9	4	5	8	3	7	1	6	2	0
	<b>6</b>	2	1	3	0	7	8	6	9	4	5
	<b>7</b>	1	7	6	2	9	3	5	0	8	4
	<b>8</b>	3	5	7	4	0	6	8	1	9	2
	<b>9</b>	4	9	0	1	8	2	7	5	6	3
	<b>0</b>	7	6	4	3	1	5	9	2	0	8

a. The last digit of the vacancy announcement determines the row to use (e.g., for Announcement 80-47, use row 7 of the chart).

b. The last digit of each tied candidate's SSN (social security number) determines the column to use.

c. The number in the block at the intersection of the row and column is the tie-breaking order digit.

d. The tie-breaking digit "1" is certified first, "2" second and "0" last.

EXAMPLE: Vacancy Announcement 80-47

Candidate	SSN	Tie-Breaking Digit
A	123-45-6789	8
B	123-45-9876	3
C	123-45-8945	9

Candidate B would be certified before A or C.

e. If ties still exist after the first round, break secondary ties by repeating the steps using the next-to-last digit of the social security number.



**APPENDIX D. MERIT PROMOTION PLAN FOR COMPETITIVE POSITIONS  
CENTRALIZED TO THE SECRETARY**

**1. SCOPE**

a. This section contains the merit promotion plan for all competitive service positions centralized to the Secretary except for those positions in the Secretary's office below grade GS-15 which are covered by Central Office promotion plans. This section also includes those positions specifically designed to train or develop employees for placement into such positions (see MP-5, pt. I, ch. 250, app. A). There may be instances, when simultaneous consideration for promotion or for assignment to positions with higher known promotion potential of certain excepted service employees (e.g., Schedule A, Title 38, etc.) is desirable. When such concurrent consideration occurs, the same rating and ranking criteria will apply to both types of appointees, thereby affording consideration of both groups for promotion on separate referral certificates. (For Senior Executive Service positions, refer to MP-5, pt. I, ch. 920.)

b. The procedures of this plan to the following actions:

(1) Promotion;

(2) Reassignment or change-to-lower grade to a position with greater known promotion potential than the current position (except as permitted by reduction-in-force regulations);

(3) Selection for training which is part of an authorized training program or required before an employee may be considered for a promotion;

(4) Transfer of an employee from another Federal agency to a higher grade VA position, or to a VA position with higher known promotion potential than his/her current positions;

(5) Reinstatement, including those made from reemployment priority lists, to a permanent or temporary position at a higher grade than the last grade held in a non-temporary position in the competitive service, or to a position with higher known promotion potential than the last non-temporary competitive service position held;

(6) Selection for details of more than 120 days to a higher grade position or a position with higher known promotion potential (5 CFR 335.103(c)(ii), and MP-5, pt. I, ch. 300);

(7) Temporary promotion for more than 120 days (all prior service by detail to higher grade and by temporary promotion, whether competitive or noncompetitive, during the preceding 12 months is to be counted toward the 120-day time limit);

(8) Promotion resulting from a position being upgraded due to the addition of duties and responsibilities; when a career promotion is determined not to be appropriate. (See par. 12 of this plan for a discussion of career promotions under these circumstances.)

c. This merit promotion plan applies to the actions specified in subparagraph b above. Management retains the right to fill positions by any appropriate recruitment method, such as reassignment, appointment, promotion, transfer, reemployment, reinstatement or change-to-lower grade. The decision as to which method(s) to use (singly, in any sequence, or concurrently in any combination, or to change at any time from one method to another) will be made by management for each vacancy. Management also retains the right to determine the number of positions to be filled and the grade levels at which positions will be announced or filled.

## **2. REFERENCES**

MP-5, part I, chapters:

- a. 335;
- b. 250;
- c. Central Office Operating Instructions, OI-1, part V, chapter 6.

## **3. POLICY**

a. Selections under the competitive procedures of this plan will be made from among the best qualified candidates available.

b. All actions under this plan will be based on job-related selection criteria and will be made without discrimination for such reasons as race, color, religion, national origin, sex, lawful political affiliation, marital status, non-disqualifying physical or mental handicap, age, or membership or non-membership in a labor organization.

c. It is the policy of the Secretary to identify, develop and advance employees who demonstrate the potential to assume positions of increased responsibility. However, the Secretary recognizes the need to assimilate high quality talent which may become available from other sources and the need to meet the goals of the Federal Equal Opportunity Recruitment Program. Thus, persons, outside the VA may be considered and selected for positions covered by this plan when a determination is made that the best interests of the VA will be served.

d. Officials at any level who are involved in the promotion process will not commit acts of personal favoritism, nepotism, unlawful reprisal, or any other practice which violates merit system principles as described in MP-5, part I, chapter 335, section A, paragraph 3d and e. Actions taken under this plan will conform to requirements governing employment of relatives (5 CFR Part 310 and MP-5, part I, chapter 300).

e. Employees will not be denied a position change covered by this plan by reason of difficulty in replacing them.

#### **4. RESPONSIBILITIES**

a. All staff and line officials who participate in the identification, evaluation, ranking, referral, and selection of candidates will become familiar with the provisions of this section, and will strive not only to comply with its literal provisions but also to achieve its objectives.

b. The Secretary retains the authority to make final selections for positions under this plan.

c. Appropriate Central Office officials are responsible for ensuring the completion of the job analyses for positions covered by this plan in a timely manner.

d. Management officials are responsible for nominating candidates for the approval of the Secretary in accordance with the provisions of this plan and the procedures for submitting nominations of candidates for the Secretary's approval contained in Central Office Operating Instructions, OI-1 part V, chapter 6.

e. Top management officials at facility and Central Office levels are responsible for providing guidance and counseling to employees about development and career advancement. This is an important responsibility and challenge for all line and staff officials.

f. Employees who expect to advance their careers must apply themselves diligently, produce qualitative results, and recognize that preparation for more responsible assignments is to a large degree a matter of self-development. Employees who desire consideration are responsible for filing applications in accordance with Centralized Staffing System requirements and for furnishing accurate information reflecting their pertinent qualifications.

g. Employees on official absence for an extended period who desire consideration for centralized vacancies advertised in their absence are responsible for: (1) identifying such positions by titles (organizational/classification), series, grade and geographic location on a written request submitted directly by employees, or given to their supervisor if they wish their names to be submitted for them; and (2) timely submitting to the appropriate office their application and/or other background information required for consideration. Official absence includes detail, leave, training, military service with restoration rights, absence due to compensable injury, Intergovernmental Personal Act assignments, etc. (See MP-5, pt. I, ch. 335, sec. C, pars. 1c and 3b(2).)

h. Supervisors are responsible for the timely submission of the names of employees from whom they have received written requests in accordance with subparagraph g above.

#### **5. AREA OF PROMOTION CONSIDERATION**

a. Normally, the area of promotion consideration for the positions covered by this plan will be VA-wide.

b. If determined necessary by the appropriate Administration head, Assistant Secretary or other key official (i.e., General Counsel) for substantive reasons comparable to those cited in MP-

5, part I, chapter 335, section C, paragraph 7c, the area of promotion consideration for individual centralized vacancies may be smaller than VA-wide. Reasons for restricting the area of consideration will be documented and submitted with the nomination records for approval by the Secretary.

## **6. QUALIFICATION AND ELIGIBILITY REQUIREMENTS**

a. To be promoted, candidates must meet the minimum qualification requirements established for the position by the VA or the Office of Personnel Management (OPM's Operating Manual – Qualification Standards for General Schedule Positions), including any selective placement factors (see par. 6b below), as well as any applicable statutory and regulatory requirements such as those covering time-in-grade.

b. When there are special placement factors which are not adequately covered by the minimum qualification standard and which were identified by a job analysis as essential to successful performance in the position to be filled, they become selective placement factors and, as such, constitute a part of the minimum requirements for the particular position. Licensure, registration, certification or organization membership which is not required by the appropriate qualification standard will not be used as selective placement factors.

c. Written tests will not be used in evaluating the qualifications of any applicant unless required by the OPM or approved for use by the Leader, Customer Advisory & Consulting Group (051).

## **7. LOCATING CANDIDATES**

Specific information for candidates on application procedures will be contained in VA-wide publicity. Candidates may be located by several different methods. Normally, vacancies will be publicized individually by announcements issued in the Weekly Summary Bulletin. Other sources of candidates may include reinstatement eligibles and employees from other agencies. Information regarding other methods for locating candidates, when used, will be communicated through appropriate channels.

## **8. EVALUATION AND RANKING PROCEDURES**

a. Evaluation procedures will meet the requirements of 5 CFR Part 335, and MP-5, part I, chapter 335 and its appendixes. Evaluation criteria used to rate candidates will be expressed in a rating guide resulting from a job analysis of the position, or class of positions, to filled.

b. When there are 10 or fewer qualified promotion candidates, they may be referred to the selecting official for final consideration without rating or ranking.

c. An HRM Office representative will conduct the job analysis using available informational material on the position(s) normally with the assistance of a panel which will usually consist of at least two SME's (subject matter experts). In those few instances in which appropriate SME

participation cannot be obtained, the circumstances will be documented as part of the rating guide's background records. SME's are persons with direct knowledge of what is done in the job, what KSAO's are required to do it, and the general background of persons who are able to do the job successfully. This may include those currently doing the job, recent incumbents, those who supervise or have recently supervised others doing the job, and other acknowledged job experts. SME's must be (or have been) at least equal in grade to the position being analyzed, or equal to the highest grade if a class of positions is being analyzed. Assignment of SME's for positions within their organization will be determined by the appropriate Administration head, Assistant Secretary or other key official.

d. The rating guide will consist of several rating factors on which applicants are evaluated to distinguish superior or high quality candidates from acceptable ones. (NOTE: See part. 8k(2) below for guidance on the term "high quality.") The rating factors will consist of KSAO's (knowledges, skills, abilities, and other characteristics) which: (1) are relevant to successful performance upon entry into the job; (2) are measurable; and (3) are observable.

e. Unless dictated otherwise by the results of the job analysis, the rating factors will be supported by three quality level descriptions. These quality levels will further define the rating factor by giving concrete examples of various proficiency levels in terms of observable behaviors, past experiences, quality of performance, pertinent education and training, etc. Point credit for each rating factor will be awarded as follows:

Level A (Superior)	5 Points
Level B (Average)	3 Points
Level C (Acceptable)	1 Point

However, the above crediting system does not preclude the weighting of certain rating factors when justified by the job analysis (or other pertinent job-related information), or crediting four (4) points or two (2) points when the promotion panel determines that a candidate falls between two (2) levels on a particular rating factor.

f. Rating factors or quality level descriptions will not prescribe point credit based on a certain number of points or a certain percentage of points for each source of information (i.e., supervisory appraisal, experience, education, training, awards, etc.). Rating factors or quality level descriptions will not refer to length of service, length of education, licensure, registration, certification or organization membership, unless the job analysis and accompanying documentation show the item to be a valid, job-related factor which enhances a candidate's ability to perform the duties of the job to be filled.

g. Rating guides will be periodically reviewed for both (1) currency of the tasks and KSAO's and (2) effectiveness in distinguishing superior (or high quality) candidates from acceptable ones for the subject positions. If necessary, based on such job-related review and any needed supplemental SME information, officials of the Headquarters and Executive Resources Team (052)

and the appropriate Administration head, Assistant Secretary or other key official may revise the rating guides accordingly for future application to better achieve the above two objectives.

h. The Headquarters and Executive Resources Team will convene a promotion panel, which will be normally composed of at least two (2) SME's to evaluate candidates against the criteria described in the rating guide. SME's must be at least equal in grade to the position being filled. Assignment of SME's for positions within their organization will be determined by the appropriate Administration head, Assistant Secretary or other key official (e.g., General Counsel). When a rating guide has been developed from the job analysis of a class of positions, the promotion panel, using appropriate SME information provided by one of the above officials or his/her designee, may modify the rating guide for the position to reflect the relevant tasks and KSAOs not identified in the original class analysis.

i. A member of the Headquarters and Executive Resources Team will be available to provide technical guidance and assistance to each promotion panel or may participate in the rating process.

j. All present at promotion panel meetings are prohibited from revealing information of a confidential or personal nature about any candidate which may be gained during the deliberation process, and may be subject to disciplinary action if such information is improperly divulged.

k. Candidates will be evaluated on the extent to which their experience, education, appraisals, training, awards, and outside activities taken as a whole show possession of the KSAOs in the rating factors used. Ratings will be based on all relevant information which a candidate has submitted as part of the CSS; and when appropriate, such other tools as job-related interviews, reference checks, and work samples. This combined information will be evaluated against the quality level descriptions for each of the rating factors used. Each candidate's total point credit will be the sum of points awarded for each of the rating factors. Since the number of rating factors used for different jobs may vary, the maximum possible points which may be credited may vary from job to job.

(1) After all candidates have been assigned points under the rating guide, they will be listed in descending order of their point scores. The promotion panel will establish a "cut-score" in accordance with the following paragraphs to identify the best qualified candidates for referral to the selecting official for final consideration. The cut-score will not be set arbitrarily at a particular point score or at a particular percentage of the total possible points. An overall objective of applying the rating guide and establishing the cut-score is to enable high quality candidates to be identified and referred for selection consideration. Technical guidance will be provided by a representative of the Headquarters and Executive Resources Team.

(2) For the purposes of this plan, high quality candidates are those who in the promotion panel's judgment possess a total background which reflects the capability to perform the position being filled in a highly competent and effective manner. A pre-set numerical score to uniformly indicate high quality candidates is not proper as this does not allow for the relevant differences among positions and available candidates. Nonetheless, it is generally anticipated that high quality candidates will possess the KSAOs required for positions sufficiently to warrant a middle range of total possible points, or higher, under an appropriate rating guide.

(3) When a natural gap among the high quality candidates is present, those above the gap will normally be considered best qualified. However, an adequate number of promotion candidates, if available, should be referred for consideration.

(4) When there is no natural gap or when the number of candidates above the natural gap is so large as to cause an undue administrative burden, the promotion panel will decide the number of high quality candidates to be referred as best qualified. Generally, a referral of 10 candidates will be considered sufficient; for each additional vacancy an additional candidate may be referred.

(5) In the absence of any high quality candidates, candidates ranked as qualified may be referred as best qualified in accordance with the principles in paragraphs (3) or (4) above.

## **9. REFERRAL AND SELECTION PROCEDURES**

a. Following completion of the rating and ranking process, or as vacancies occur, a promotion certificate containing the names of the best qualified VA candidates (listed in alphabetical order) will be prepared.

(1) If transfer and/or reinstatement eligibles and/or certain excepted service employees are being considered for higher grade positions, or for positions with higher known potential, they will be evaluated and ranked along with competing competitive service VA employees to determine the cut-score. After the cut-score has been established, those who rank at or above the cut-score will be referred on a separate list for each source of candidates.

(2) If a position is announced at multiple grade levels, separate certificates will be referred for each grade level.

b. The signed certificates will be forwarded to the nominating official. This official will recommend a selection to the Secretary in accordance with procedures in Central Office Operating Instructions, OI-1, part V, chapter 6. When nominating a candidate who must relocate to accept an assignment, information should be provided regarding cost considerations. Additionally, if the candidate has been in his or her current VA assignment less than 36 months, a justification of the move will be included.

c. Until selections for positions centralized to the Secretary have been approved by the Secretary, candidates nominated for these positions should not be informed of their nominations, and no personnel action will be taken.

d. The Secretary has the right to select or non-select from a promotion certificate or from any other appropriate source of candidates. This includes the right to non-select all the promotion candidates and return the promotion certificate unused. Where multiple vacancies or multiple grade levels are involved, this includes the right to select for one or more vacancies at the same or other grade levels (if applicable) and to return the certificates without selecting for remaining vacancies.

e. The Secretary's final approval will be communicated by the appropriate Administration head, Assistant Secretary or other key official.

## **10. EFFECTIVE DATES**

Employees will be released to their new assignments within a reasonable length of time.

a. Normally, the effective date of a position change at the same facility will be the first day of the next pay period after the date of administrative approval. Where unusual circumstances justify a period longer than 2 weeks prior to release, either (1) the employee should be informed in writing over the signature of the official responsible for the delay of the reasons for the delay and the expected release date, or (2) the position change action should be effected and the employee detailed back to the former position.

b. The release date for an employee transferring to another VA facility will be arranged by the responsible officials. Unless circumstances dictate otherwise or both the releasing and receiving stations otherwise agree, travel time will be accomplished on the receiving station's time.

## **11. EXCEPTIONS TO COMPETITIVE PROMOTION PROCEDURES**

The following actions are exceptions to the competitive promotion procedures of this plan:

- a. Career promotions (see par. 12 below);
- b. Promotion after failure to receive proper consideration;
- c. Position change from a position having known promotion potential to a position having no higher known potential (see also par. 11d, below);
- d. Position changes in reduction-in-force situations: (1) which are technically promotions due to pay fixing policies, or (2) which result in placement in positions having higher known promotion potential due to exercise of RIF assignment rights;
- e. Selection of a Federal employee who is within reach on an OPM register for a higher graded position;
- f. Repromotion to grades from which demoted without personal cause;
- g. Repromotion to grades held prior to initial entry by demotion into supervisory or managerial positions when return to the former grade is required because of failure to complete the supervisory/managerial probationary period;
- h. Temporary promotions for 120 days or less;
- i. Details to higher grades or positions with higher known promotion potential for 120 days or less;



j. Selections for training which may significantly enhance chances for future promotion but which is not required for promotion.

## 12. CAREER PROMOTIONS

a. Career promotions are those made without current competition when the employee was previously appointed to, or selected through earlier competitive promotion procedures for an assignment which was intended to prepare the person for progression to the target grade level (career-ladder), or the position is reclassified at a higher grade level because of additional duties and responsibilities. Career promotions under this plan include career-ladder promotions involving movements between VA facilities.

b. Career-ladder promotions may be made only when the intent has been made a matter of record prior to the initial selection and all potential candidates informed. Career-ladder promotions, such as the following, are included among covered career promotion opportunities:

- (1) Trainee or developmental positions;
- (2) Understudy positions;
- (3) Positions filled at a grade below the established or anticipated grade;
- (4) Positions filled under a training agreement which provides for career-ladder promotions;
- (5) Positions filled after employees were detailed to them, provided initial selection for detail was under a competitive action which provided for future promotion;
- (6) Positions filled by permanent promotion of employees who were temporarily promoted to them, provided initial selection for temporary promotion was under a competitive action which provided for permanent promotion.

c. Where employees appointed under special appointment authorities have been properly converted to career or career-conditional appointments to positions covered by this plan which have known promotion potential, career-ladder promotions may be made to the target grade level of the position.

d. Upgrading without significant change in duties and responsibilities due to the issuance of a new or revised classification standard or the correction of an earlier classification error is a career promotion.

e. Employees whose positions are reclassified at a higher grade because of additional duties and responsibilities where the basic function of the original position continues to be a part of the new one, may be promoted without competition, but are subject to the following considerations:

(1) The prohibited personnel practices contained in law preclude the granting of preference or advantage, not authorized by law, rule or regulation, to improve or injure the prospects of any person. Managers, supervisors, selecting officials and personnel officials are responsible for ensuring that actions resulting in a promotion because of additional duties and responsibilities are not the result of a prohibited practice.

(2) In making decisions regarding the appropriateness of such a career promotion, managers, supervisors, selecting officials and personnel officials should be guided by the examples of circumstances which would warrant such a promotion discussed in MP-5, part I, chapter 335, section C, paragraph 12d(3).

### **13. ALTERNATIVE RATING AND RANKING PROCEDURES**

When approved by the Leader, Customer Advisory & Consulting Group (051), alternative rating and ranking procedures may be developed on an experimental basis and utilized to determine the appropriateness of the basic procedure required under this plan.

### **14. KEEPING EMPLOYEES INFORMED**

a. While movement among the several specific career fields is possible, a typical career path closely follows a particular career field. Career counseling is available to employees and may be sought at any time (see par. 4e of this plan).

b. Copies of this plan will be posted at each VA facility. In addition, a copy of this plan will be made available on an employee's request.

c. Each candidate who individually applies to indicate interest in and availability for a particular position will be subsequently notified of the action taken by the Headquarters and Executive Resources Team.

d. Selections made under this plan will be publicized at least quarterly by the Headquarters and Executive Resources Team.

e. Employees who apply for, and inquire about the results of, a specific promotion action will be given the following information:

(1) By the Headquarters and Executive Resources Team.

Whether they met the minimum qualification requirements;

Whether they were in the group from which selection was made;

Who was selected; and

(2) By the appropriate Administration head, Assistant Secretary or other key official or his/her designee:

Upon request, in what areas, if any, they should improve to increase their chances for future promotion.

f. Upon request, an employee will be shown any record of production, or any supervisory appraisal of past performance which has been used in considering him/her for promotion. An employee is not entitled to see the records of another employee unless he/she is the selecting official, a member of the promotion panel, or otherwise performing official duties which involve reviewing records of that specific promotion file, or he/she has the written consent of the subject of the record.

## **15. GRIEVANCES/DISCRIMINATION COMPLAINTS**

a. Failure to be selected for promotion from a properly constructed promotion certificate (nonselection from a group of properly certified candidates) is not a basis for formal grievance, nor is dissatisfaction concerning the number of positions to be filled, or the grade level at which positions are advertised or filled. Grievances will be processed under the provisions of the VA grievance procedure contained in MP-5, part I, chapter 771.

b. Any complaints that action(s) taken under this plan were based on the non-merit factors of race, color, religion, sex, national origin, age or handicap, will be processed under the provisions of MP-5, part I, chapter 713.